From: Dragani, Nancy
Sent: 10 Feb 2017 23:03:15 +0000
To: Greff, Stacie;Dombrowski, Justin
Subject: FW: Notes from DAPL call today
Attachments: ND DAPL Conference Call Notes.docx

From: Depalo, Lee
Sent: Friday, February 10, 2017 12:31 PM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: FW: Notes from DAPL call today

Nancy, notes from the call that ESF-13 mentioned in today's SA meeting are attached.

Lee

Lee dePalo

Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990

FEMA

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Page 0002

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Page 0003

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Sent: 10 Feb 2017 23:03:15 +0000
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Response Division Director
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Regional Office: 303-235-4990

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Page 0005

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of the Freedom of Information and Privacy Act

Page 0006

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Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

From: Depalo, Lee
Sent: 10 Feb 2017 14:31:14 -0500
To: Dragani, Nancy
Cc: Deal, Timothy
Subject: FW: Notes from DAPL call today
Attachments: ND DAPL Conference Call Notes.docx

Nancy, notes from the call that ESF-13 mentioned in today's SA meeting are attached.

Lee

Lee dePalo

Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990

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of the Freedom of Information and Privacy Act

Page 0011

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From: Dragani, Nancy
Sent: 28 Nov 2016 20:06:28 +0000
To: 'Pinheiro, Ronald (OS/ASPR/OEM)';(b)(6) (OS/IEA);(b)(6) (CMS/CFMFFSO);(b)(6) (SAMHSA/OPPI);(b)(6) (HRSA);(b)(6) (ACL/ORO/Region VIII);(b)(6) (HHS/OGC);(b)(6) (ACF);(b)(6) (CDC/OPHPR/DSLR);(b)(6) (HRSA);(b)(6) (HHS/OCR);(b)(6) (CMS/CQISCO);Deal, Timothy;Depalo, Lee
Cc: (b)(6) (OS/ASPR/OEM);(b)(6) (OS/ASPR/OEM)
Subject: RE: HHS/ASPR Region 8 - DAPL Update

Thanks,

"Vets" as in US military veterans?

Nancy

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Page 0013

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of the Freedom of Information and Privacy Act

Page 0014

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

From: Dragani, Nancy
Sent: 22 Feb 2017 17:48:35 +0000
To: (b)(6) @usdoj.gov;Moore, Jkevin;Depalo, Lee;Hudson, Lamont; (b)(6) @usdoj.gov
Subject: RE: ND ESF13 Sitrep

Alan,
Thanks for the sitrep.
Nancy

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Page 0016

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Referred to Another Agency/Component

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Page 0017

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of the Freedom of Information and Privacy Act

From: Hudson, Lamont
Sent: 22 Feb 2017 11:31:18 -0500
To: Colon, Alan B;Dragani, Nancy;Moore, Jkevin;Depalo, Lee(b)(6)@usdoj.gov
Subject: RE: ND ESF13 Sitrep

Thanks for providing solid information Alan.

Respectfully,

Lamont Hudson

DHS/FEMA Region VIII - Logistics
Ordering Unit Lead
Denver Federal Center, Bldg. #20
Office: 303-235-4851
Cell: 303-842-4682
Fax: 303-233-2504

"Teamwork makes the DREAM work."

From: Alan.B.Colon@usdoj.gov [mailto:Alan.B.Colon@usdoj.gov]
Sent: Wednesday, February 22, 2017 9:17 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Moore, Jkevin <Jkevin.Moore@fema.dhs.gov>; Depalo, Lee <lee.depalo@fema.dhs.gov>; Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>; Russell.A.Curry@usdoj.gov
Subject: ND ESF13 Sitrep

Situation Report on ND LE resources, forecast operations, and flooding forecasts, and impacts on potential ESF #13 missions:

Bottom Line Up Front:
Major flooding is expected on the Red River in Grand Forks and north to the Canadian border, with moderate flooding in Fargo and north to Grand Forks. Moderate flooding and localized major ice-jam flooding is expected on the Souris River and Sheyenne River basins in south-central/southeast North Dakota.

DAPL protest LE operations are expected to continue for months. Evacuation of the Seven Councils Camp will largely just displace protesters to other camps, and not significantly change the tactical and resource situation.

Page 0019

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Page 0020

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From: Dragani, Nancy
Sent: 2 Mar 2017 20:11:17 +0000
To: Greff, Stacie
Cc: Deal, Timothy
Subject: FW: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

For your visibility and coordination. It looks like this is focused on Tribal but I would expect other issues (levees, DAPL, flood insurance) may come up as well.

I am in DC that week so assume that is why they selected those dates.

Nancy

Sent from my iFEMA mobile device.

From: Edge, Elizabeth
Sent: Thursday, March 02, 2017 10:55:41 AM
To: Dragani, Nancy
Subject: FW: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

FYI – I'm sure someone will be contacting you soon… In the message below, Jessica Specht is referring to Alex Amparo.

Elizabeth R. Edge
Director, Office of Regional Operations
DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Thursday, March 02, 2017 10:49 AM
To: Brewster, Jared
Cc: Windle, William; Booth, Milo; Valteau, Margeau; Edge, Elizabeth; Eswood, Louis; Blanchard-Mbangah, Shauna M; Jenkins, Christy; Salem, Lindy
Subject: RE: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

Hi Jared,

I got to talk with Alex more about these potential engagements today. He would like to set-up hill visits with the remaining RAs, if possible. Ideally, tribal is a part of the discussion, but he'd like to participate in the conversations regardless. Based on their schedules and my initial research, I'd recommend the following visits for R8 RA Nancy Dragani for 4/5. However, I welcome your feedback on whether you all think these are the right folks. If so, per my conversation with Michelle about process, can you please begin working with CAD Regional staff on this?

Region VIII

John Hoeven, ND - SHSGAC, Chairman of Senate Indian Affairs Committee, Appropriations HS Subcomm.

Jon Tester, MT - SHSGAC, Senate Indian Affairs Committee, Ranking Member of Appropriations HS Subcomm.

Heidi Heitkamp, ND – SHSGAC, Senate Indian Affairs Committee
Steve Daines, MT- SHSGAC, Senate Indian Affairs Committee
Looping in Lindy and Christy for help with scheduling and others for awareness.
Thank you,
Jessica

Jessica Specht (Steinbeck)
Tribal Policy Lead, Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Block, Michelle
Sent: Tuesday, February 28, 2017 1:35 PM
To: Edge, Elizabeth ; Specht, Jessica
Cc: Windle, William ; Brewster, Jared ; Booth, Milo ; Valteau, Margeau
Subject: RE: RA CAD/Tribal Engagement

Hi all,
FYSA during our congressional staff call today with the regions, our deputy director mentioned the success of recent RA meetings on the Hill and asked for regions to consider other ones that may be beneficial when their RAs come to DC.
Best,
Michelle

From: Edge, Elizabeth
Sent: Friday, February 24, 2017 2:21 PM
To: Specht, Jessica
Cc: Windle, William ; Block, Michelle ; Brewster, Jared ; Booth, Milo ; Valteau, Margeau
Subject: RE: RA CAD/Tribal Engagement

Thanks very much Jessica. Standing by to hear back from Michelle.
Enjoy the weekend.

Elizabeth R. Edge
Director, Office of Regional Operations
DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Friday, February 24, 2017 1:49 PM
To: Edge, Elizabeth
Cc: Windle, William; Block, Michelle; Brewster, Jared; Booth, Milo; Valteau, Margeau
Subject: RA CAD/Tribal Engagement

Hi Elizabeth,
Nice talking with you too. I raised the potential opportunity for the remaining RAs to have congressional and/or tribal meetings when they are in town. Michelle Block of CAD said she would bring this up to their new Deputy, Damon on their Monday call and get back to us all.
As we discussed, depending on whether we decide these meetings should be just CAD or tribal related or both, I am happy to email the RAs after Monday and CC: Sharon and share the positive experience we had with her yesterday and offer for Alex to meet with them when they are in town, if we decide that is the right approach.

Thank you,
Jessica

Jessica Specht (Steinbeck)
Tribal Policy Lead, Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Edge, Elizabeth
Sent: Friday, February 24, 2017 12:46 PM
To: Specht, Jessica
Cc: Windle, William
Subject: RE: Proposed response to Franken

Good to chat with you just now.
As I said, theyre all doing their own schedules. Jans only here for a day but maybe another trip? Either way I think it's a great idea for them to do congressional tribal and just regular visits.
Let me know how your meeting with CAD goes and we'll get this working.
Thanks.

Elizabeth R. Edge
Director, Office of Regional Operations
DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Friday, February 24, 2017 12:37 PM
To: Edge, Elizabeth
Cc: Windle, William
Subject: RE: Proposed response to Franken

I understand from Region V staff that Jan is doing her own scheduling? It appears similar opportunities may arise for Mike, Paul, and Nancy do you have a primary POC who is managing these schedules or visibility on that?

Jessica Specht (Steinbeck)
Tribal Policy Lead, Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Edge, Elizabeth
Sent: Friday, February 24, 2017 11:00 AM
To: Specht, Jessica
Cc: Windle, William
Subject: RE: Proposed response to Franken

Thanks.

Elizabeth R. Edge
Director, Office of Regional Operations

DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Friday, February 24, 2017 10:47 AM
To: Edge, Elizabeth
Cc: Windle, William
Subject: FW: Proposed response to Franken

FYSA

From: Specht, Jessica
Sent: Friday, February 24, 2017 10:38 AM
To: Peterson, Mark J
Cc: Booth, Milo ; Sulinckas, William C ; Block, Michelle
Subject: RE: Proposed response to Franken

Hi Mark,

Good to hear from you! I hope you're well. Thanks for clarifying that.

Heads up, yesterday we had Region X Acting RA Sharon Loper come with Alex, Milo, myself and others to the hill to follow-up with Senators Murkowski and Cantwell's staff on their requests from the Senate Indian Affairs Committee Hearing. We understand that your Acting RA, Janet Odeshoo, is the next to rotate to FEMA HQ, so it would be good to set up a similar meeting with Alex, Milo and Franken's staff. Can you point me to the right person for scheduling please?

Copying Bill Sulinckas for viz.

Thank you,

Jessica

Jessica Specht (Steinbeck)
Tribal Policy Lead, Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Greff, Stacie
Sent: 21 Mar 2017 21:30:24 +0000
To: Dragani, Nancy
Cc: Deal, Timothy;Carroll, Thomas;Dombrowski, Justin
Subject: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5
Importance: High

Nancy â€“ I connected with HQ Leg Affairs on this. This originated when Sharon Loper joined Alex Amparo for some hill visits relating to tribal, and he felt it went well. The idea was thrown out primarily by Recovery for potential future opportunities. There is not an expectation or requirement from Legislative Affairs. However, if it is something that you are interested in doing (meeting with staffers from key hill offices), then they will staff you and we will ensure that relevant background information (tribal & more) is prepped ahead of time for you.
My suggestion is that you chat with Alex if he is there with you and easily assessable to discuss how he feels at this point. Leg Affairs made the point of letting me know they had just cleared all the asks from the Senate hearing about a month ago on tribal where Alex testified.
Leg Affairs staff can make the visits happen in April when you are there, or we can explore other opportunities in the future. It really is your call on timing. I think the staff visits are good, but it depends on what else is scheduled for you that week as it will take some time.
Thanks. Stacie

Stacie Greff
External Affairs Director
FEMA Region VIII
303.235.4774 (desk)
303.941.8668 (cell)
Stacie.Greff@fema.dhs.gov

From: Dragani, Nancy
Sent: Thursday, March 02, 2017 1:11 PM
To: Greff, Stacie
Cc: Deal, Timothy
Subject: FW: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

For your visibility and coordination. It looks like this is focused on Tribal but I would expect other issues (levees, DAPL, flood insurance) may come up as well.

I am in DC that week so assume that is why they selected those dates.

Nancy

Sent from my iFEMA mobile device.

From: Edge, Elizabeth
Sent: Thursday, March 02, 2017 10:55:41 AM
To: Dragani, Nancy
Subject: FW: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

FYI â€“ Iâ€™m sure someone will be contacting you soonâ€¦ In the message below, Jessica Specht is referring to Alex Amparo.

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Director, Office of Regional Operations
DHS FEMA
202-465-6354 cell

From: Specht, Jessica
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Cc: Windle, William; Booth, Milo; Valteau, Margeau; Edge, Elizabeth; Eswood, Louis; Blanchard-Mbangah, Shauna M; Jenkins, Christy; Salem, Lindy
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Hi Jared,

I got to talk with Alex more about these potential engagements today. He would like to set-up hill visits with the remaining RAs, if possible. Ideally, tribal is a part of the discussion, but heâ€™d like to participate in the conversations regardless. Based on their schedules and my initial research, Iâ€™d recommend the following visits for R8 RA Nancy Dragani for 4/5. However, I welcome your feedback on whether you all think these are the right folks. If so, per my conversation with Michelle about process, can you please begin working with CAD Regional staff on this?

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Jon Tester, MT - SHSGAC, Senate Indian Affairs Committee, Ranking Member of Appropriations HS Subcomm.
Heidi Heitkamp, ND â€“ SHSGAC, Senate Indian Affairs Committee
Steve Daines, MT- SHSGAC, Senate Indian Affairs Committee

Looping in Lindy and Christy for help with scheduling and others for awareness.

Thank you,
Jessica

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U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Block, Michelle
Sent: Tuesday, February 28, 2017 1:35 PM
To: Edge, Elizabeth ; Specht, Jessica
Cc: Windle, William ; Brewster, Jared ; Booth, Milo ; Valteau, Margeau
Subject: RE: RA CAD/Tribal Engagement

Hi all,

FYSA during our congressional staff call today with the regions, our deputy director mentioned the success of recent RA meetings on the Hill and asked for regions to consider other ones that may be beneficial when their RAs come to DC.

Best,
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Sent: Friday, February 24, 2017 2:21 PM
To: Specht, Jessica

Cc: Windle, William ; Block, Michelle ; Brewster, Jared ; Booth, Milo ; Valteau, Margeau
Subject: RE: RA CAD/Tribal Engagement

Thanks very much Jessica. Standing by to hear back from Michelle.
Enjoy the weekend.

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DHS FEMA
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DHS FEMA
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U.S. Department of Homeland Security
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jessica.specht@fema.dhs.gov

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Cc: Windle, William
Subject: RE: Proposed response to Franken

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DHS FEMA
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To: Edge, Elizabeth
Cc: Windle, William
Subject: FW: Proposed response to Franken

FYSA

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To: Peterson, Mark J
Cc: Booth, Milo ; Sulinckas, William C ; Block, Michelle
Subject: RE: Proposed response to Franken

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Thank you,
Jessica

Jessica Specht (Steinbeck)
Tribal Policy Lead, Recovery Front Office
Office of Response and Recovery

Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Dick, Jennifer
Sent: 15 Feb 2017 13:54:16 -0500
To: Dragani, Nancy
Cc: Deal, Timothy
Subject: FW: DAPL Protest (UNCLASSIFIED)
Importance: High

Hi Nancy-

Below is a link to information on the Emergency Federal Law Enforcement Assistance Program (EFLEA). The program authorizes the US Attorney General to provide "federal law enforcement assistance" to a state overwhelmed by a "law enforcement emergency"—meaning an uncommon situation that requires law enforcement, which is or threatens to become a serious or epidemic proportions, and with respect to which state and local resources are inadequate to protect the lives and property of citizens or to enforce the criminal law. The assistance provided can include "funds, equipment, training, intelligence information, [or] personnel."

https://www.ncjrs.gov/pdffiles/eflea.pdf

The informational fact sheet notes that although the Federal government has programs to assist States and local governments with natural disasters, until 1984 there was no coordinated Federal response for any other type of emergency. It references a number of unexpected law enforcement emergencies. The fact sheet also discusses application process, as well as examples of recent EFLEA awards.

This may assist in your dialogue with Greg.

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this message in error, please reply immediately to the sender and delete this message. Thank you.

From: Sevier, Adrian
Sent: Wednesday, February 15, 2017 11:22 AM
To: Allen, Jotham <Jotham.Allen@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Subject: FW: DAPL Protest (UNCLASSIFIED)

FYI.

From: Dragani, Nancy
Sent: Wednesday, February 15, 2017 10:49 AM
To: Bibo, David <David.Bibo@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

Dave,

Thanks. I'll look at this and reformat. I'll plan to reach back out to Greg with this information.

Thanks to you, Corey and Bob for taking a few extra minutes on the call to discuss this.

Regards, Nancy

From: Bibo, David
Sent: Wednesday, February 15, 2017 9:43 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>
Subject: FW: DAPL Protest (UNCLASSIFIED)

Nancy – here's the paper we discussed. Upon review, I think this provides good background and a sense of our reasons for believing Stafford Act is not the appropriate approach for this incident. But it's not suitable for sharing in this form. To support the outreach (b)(6) suggested you do with the state, recommend looking at the historical analysis section.

If needed, recommend reaching out to (b)(6) and Josh for additional insight on the specific DOJ programs and authorities we know to be available and more appropriate for this situation.

From: Dozor, Joshua
Sent: Monday, February 13, 2017 2:30 PM
To: (b)(6) EOP/NSC (b)(6) @nsc.eop.gov>; (b)(6) USAF JS J5 (US (b)(6) @mail.mil>; (b)(6) @mail.mil>; (b)(6) @mail.mil>; (b)(6) @ios.doi.gov>; (b)(6) @ios.doi.gov> (b)(6) @HQ.DHS.GOV>; Bibo, David <David.Bibo@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>
Cc: (b)(6) EOP/NSC <(b)(6) @nsc.eop.gov>; (b)(6) EOP/NSC <(b)(6) @nsc.eop.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

(b)(6)

Attached is our FEMA analysis of past EMs due today. It also includes excerpts from the National Response Framework on the availability and roles in activating an ESF for non-Stafford act events.

- Josh

Joshua C. Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
Cell: 202-631-6877
SPRNet: Joshua.dozor@dhs.sgov.gov

From: Dozor, Joshua
Sent: Monday, February 13, 2017 6:56 AM

To: (b)(6) EOP/NSC (b)(6) @nsc.eop.gov>; (b)(6) USAF JS J5 (US (b)(6) @mail.mil>; (b)(6) @mail.mil>; (b)(6) @mail.mil>; (b)(6) @ios.doi.gov>; (b)(6) @ios.doi.gov>; (b)(6) @HQ.DHS.GOV>; Bibo, David <David.Bibo@fema.dhs.gov>
Cc: (b)(6) EOP/NSC (b)(6) @nsc.eop.gov>; (b)(6) EOP/NSC <(b)(6) @nsc.eop.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

(b)(6)

The NRCC is activated 24/7 for the California Orville Dam flooding event and all the FEMA attendees have operational roles on the NRCC. Can we get a call-in to participate?

I must mention to the group at this opportunity that this California incident is a perfect example of when federal emergency response assistance is warranted for a potential dam breach situation. We are watching several other dams at-risk across the mid-west as well that we need to have capabilities on hand to support if needed. The North Dakota incident - while it could foreseeably require such emergency assistance in the future - is not at the point where Stafford Act assistance is required to support the State.

In the California situation, unlike in North Dakota at this time, the Governor declared a state of Emergency and their EOC is at full activation. The State has deployed its incident management team, its swift water SAR teams, and is supporting evacuations of about 192,000 people. As of this morning, shelters are open with 350 occupants and the State has indicated a need for logistics commodities.

- josh

Joshua C. Dozor
Director, Planning and Exercises
FEMA Response Directorate
Cell: 202-631-6877

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Page 0033

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Page 0034

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of the Freedom of Information and Privacy Act

From: Greff, Stacie
Sent: 15 Feb 2017 11:30:42 -0500
To: R8 Division Directors
Subject: FW: Clip: DAPL

Fysa

Sent from my iFEMA mobile device.

From: DeFelice, Jerome
Sent: Wednesday, February 15, 2017 3:33:20 PM
To: Greff, Stacie; Dombrowski, Justin; Floyd, Megan; Garcia, Carol; Stephenson, James R
Subject: Clip: DAPL

Article by Bismarck AP reporter. Appeared in this morning's Denver Post and other outlets across the region. He's been doing these sort of updates periodically.

A guide to recent events in the Dakota Access pipeline battle

North Dakota says law enforcement response to pipeline protests has cost taxpayers $33 million so far.

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Tom Stromme, The Bismarck Tribune

This aerial photo shows a site where the final phase of the Dakota Access Pipeline will take place with boring equipment routing the pipeline underground and across Lake Oahe to connect with the existing pipeline in Emmons County, Feb. 13, 2017, in Cannon Ball, N.D.

By The Associated Press

PUBLISHED: February 14, 2017 at 6:02 pm | UPDATED: February 14, 2017 at 6:31 pm

By Blake Nicholson, *The Associated Press*

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What's the latest ruling in the court cases involving the Standing Rock and Cheyenne River Sioux?

The Standing Rock and Cheyenne River Sioux say the $3.8 billion pipeline threatens their drinking water, cultural sites and ability to practice their religion, which depends on pure water. They asked U.S. District Judge James Boasberg to temporarily halt construction at Lake Oahe until their legal challenges are resolved.

Boasberg on Monday refused, though he scheduled a Feb. 27 hearing on a request by Cheyenne River to force the Army to withdraw its permission for the lake crossing.

Tom Stromme, The Bismarck Tribune via AP, file

A section of the Dakota Access Pipeline under construction near the town of St. Anthony in Morton County, N.D., on June 29, 2016.

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The Oglala and Yankton Sioux tribes in South Dakota have filed similar legal challenges, the Yankton tribe in September and the Oglala Sioux on Saturday.

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Is the bridge that was damaged by fire open to traffic?

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The data show that 92 percent of the 660 people who have been arrested are not from North Dakota.

Jerry DeFelice
External Affairs
FEMA Region VIII, Denver
303-235-4948
303-941-5088 cell
Jerome.DeFelice@fema.dhs.gov



From: Depalo, Lee
Sent: 22 Feb 2017 19:54:40 -0500
To: Dragani, Nancy
Cc: Deal, Timothy
Subject: FW: DAPL

Nancy, NSTR for North Dakota so far.

Lee

Lee dePalo

Response Division Director
FEMA Region VIII
Cell: 720-456-9616
Desk: 303-235-4990

Sent from my iFEMA mobile device.

From: Hudson, Lamont
Sent: Wednesday, February 22, 2017 5:36:29 PM
To: Depalo, Lee
Subject: DAPL

Hi Lee,

I did one last survey of the top stories for DAPL and didn't find anything impactful. There have been arrests made, but they didn't share the numbers of protestors arrested. From observing twitter feeds, there doesn't seem to be any violent outbreaks at this time.

I can call the ND PIO tomorrow if you think it's necessary and get a better feel of what's occurring based on their observation.

Respectfully,

Lamont Hudson

DHS/FEMA Region VIII - Logistics
Ordering Unit Lead
Denver Federal Center, Bldg. #20
Office: 303-235-4851
Cell: 303-842-4682

Fax: 303-233-2504

“Teamwork makes the DREAM work.”

From: Wilz, Greg M.
Sent: 30 Mar 2017 16:00:59 +0000
To: Dragani, Nancy;Titze, Tina;Cameron, Guy;(b)(6)
(b)(6)@utah.gov);Gally - CDPS, Marilyn;Bruno, Delila (b)(6)@mt.gov)
Subject: FW: Documentary film: DAPL

I will refer to this on the call today. It is well done.

Greg

From: (b)(6)
Sent: Wednesday, March 29, 2017 3:49 PM
To: (b)(6)@nd.gov>
Subject: Documentary film: DAPL

Documentary regarding protests:
https://www.facebook.com/NetizensForProgress/videos/1868254373443542/

(b)(6)
Public Information Officer
ND Department of Emergency Services
Office: (b)(6)
(b)(6)@nd.gov

Follow us on Facebook - www.facebook.com/NDDES
Follow us on Twitter - www.twitter.com/NDDES



From: Dragani, Nancy
Sent: 30 Mar 2017 17:05:25 +0000
To: R8 Division Directors
Subject: FW: Documentary film: DAPL

This is the video Greg mentioned on the state director's call today.

From: Wilz, Greg M. [mailto:(b)(6)@nd.gov]
Sent: Thursday, March 30, 2017 10:01 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Titze, Tina <(b)(6)@state.sd.us>; Cameron, Guy <(b)(6)@wyo.gov>; (b)(6)@utah.gov) (b)(6)@utah.gov>; (b)(6) - CDPS, (b)(6)@state.co.us>; Bruno, Delila (b)(6)@mt.gov) (b)(6)@mt.gov>
Subject: FW: Documentary film: DAPL

I will refer to this on the call today. It is well done.

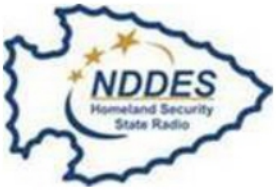
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Public Information Officer
ND Department of Emergency Services
Office: (b)(6)
(b)(6)@nd.gov

Follow us on Facebook - www.facebook.com/NDDES
Follow us on Twitter - www.twitter.com/NDDES



From: Depalo, Lee
Sent: 23 Feb 2017 15:12:09 -0500
To: Dragani, Nancy
Cc: Deal, Timothy;Greff, Stacie
Subject: FW: Update - DAPL Protestors

FYSA

Lee dePalo

Response Division Director
FEMA Region VIII
Cell: 720-456-9616
Desk: 303-235-4990

Sent from my iFEMA mobile device.

From: Hudson, Lamont
Sent: Thursday, February 23, 2017 12:54:45 PM
To: Depalo, Lee
Subject: Update - DAPL Protestors

Lee –

"CANNON BALL, N.D. - At a press conference Thursday, North Dakota Highway Patrol Lieutenant Tom Iverson said 33 people were arrested near the Oceti Sakowin protest camp Thursday morning.

Since the eviction notice was delivered, 44 people have been arrested.

Iverson said cleanup has not started, as they are waiting to make sure the camp is cleared before continuing the cleanup process."

Respectfully,

Lamont Hudson

DHS/FEMA Region VIII - Logistics
Ordering Unit Lead
Denver Federal Center, Bldg. #20
Office: 303-235-4851
Cell: 303-842-4682

Fax: 303-233-2504

"Teamwork makes the DREAM work."

From: Depalo, Lee
Sent: Thursday, February 23, 2017 11:10 AM
To: Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>
Subject: RE: DAPL Protestors

I think we're good for now and know you are keeping an eye on it.

Lee

Lee dePalo

Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990



From: Hudson, Lamont
Sent: Thursday, February 23, 2017 11:10 AM
To: Depalo, Lee <lee.depalo@fema.dhs.gov>
Subject: RE: DAPL Protestors

Do you need anything more at this time?

Respectfully,

Lamont Hudson

DHS/FEMA Region VIII - Logistics
Ordering Unit Lead
Denver Federal Center, Bldg. #20
Office: 303-235-4851
Cell: 303-842-4682
Fax: 303-233-2504

"Teamwork makes the DREAM work."

From: Depalo, Lee
Sent: Thursday, February 23, 2017 11:09 AM
To: Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>
Subject: RE: DAPL Protestors

Thanks Lamont

Lee dePalo

Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990

FEMA

From: Hudson, Lamont
Sent: Thursday, February 23, 2017 10:48 AM
To: Depalo, Lee <lee.depalo@fema.dhs.gov>
Cc: Floyd, Megan <Megan.Floyd@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: DAPL Protestors

Lee,

Reading online sources, approximately 10 arrests were made while disbanding the Standing Rock Protest Camp (Oceti Sakowin). About 40 protestors remain at the camp this morning. There are 2 bulldozers onsite, ready to begin clean-up of former camp.

The situation is peaceful at this time.

http://bismarcktribune.com/news/columnists/law-enforcement-enters-protest-camp/article_e0c65aee-e5ef-5325-a94b-d6fda308d628.html

Respectfully,

Lamont Hudson

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Denver Federal Center, Bldg. #20
Office: 303-235-4851
Cell: 303-842-4682
Fax: 303-233-2504

"Teamwork makes the DREAM work."

From: Greff, Stacie
Sent: 23 Feb 2017 17:18:07 -0500
To: Dragani, Nancy;Deal, Timothy;Depalo, Lee
Subject: ND

Asked if anything more. Just sharing....

Sent from my iFEMA mobile device.

From: Floyd, Megan
Sent: Thursday, February 23, 2017 10:13:05 PM
To: Greff, Stacie
Subject: RE: Lamont

No. Things have been as peaceful as I think we could have hoped for. The few arrests haven't been violent (at least that I have heard about) and the burning of the structures was a ceremony end to the camp. Things could have gotten really bad, but overall, this has been a decent process.

It does look like there will be a protest/camp in DC in March to protest the DAPL but I haven't seen anything from a good source yet.

From: Greff, Stacie
Sent: Thursday, February 23, 2017 3:09 PM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: Lamont

Anything additional from your end that was missed?

Sent from my iFEMA mobile device.

From: Fisher, Dennis
Sent: 3 Feb 2017 11:32:21 -0500
To: Dombrowski, Justin;Greff, Stacie
Cc: Depalo, Lee;Dragani, Nancy
Subject: Pipeline video

Good Morning Stacie and Justin,

Couple of links on the protest from KFYR Bismarck,

http://www.kfyrtv.com/content/news/Cleanup-continues-at-the-Oceti-Sakowin-protest-camp-412609283.html

http://www.kfyrtv.com/content/news/Standing-Rock-Sioux-Tribe-says-they-are-not-associated-with-DAPL-protesters-who-attempted-to-establish-new-camp-412494563.html

Maybe it's over,

Dennis Fisher
Incident Support Branch Chief
RRCC-Workforce Management-Emergency Communications
DHS/FEMA Region VIII
Response Division
DFC Building 710
Denver, CO 80225

dennis.fisher@fema.dhs.gov

303-235-4736
303-808-0033

From: Dragani, Nancy
Sent: 15 Feb 2017 16:47:41 +0000
To: Greff, Stacie
Subject: RE: Clip: DAPL

Huh! 92% of those arrested are NOT from ND.

From: Greff, Stacie
Sent: Wednesday, February 15, 2017 10:31 AM
To: R8 Division Directors
Subject: FW: Clip: DAPL

Fysa

Sent from my iFEMA mobile device.

From: DeFelice, Jerome
Sent: Wednesday, February 15, 2017 3:33:20 PM
To: Greff, Stacie; Dombrowski, Justin; Floyd, Megan; Garcia, Carol; Stephenson, James R
Subject: Clip: DAPL

Article by Bismarck AP reporter. Appeared in this morningâ€™s Denver Post and other outlets across the region. Heâ€™s been doing these sort of updates periodically.

A guide to recent events in the Dakota Access pipeline battle

North Dakota says law enforcement response to pipeline protests has cost taxpayers $33 million so far.

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Jerry DeFelice
External Affairs

FEMA Region VIII, Denver
303-235-4948
303-941-5088 cell
Jerome.DeFelice@fema.dhs.gov



From: Greff, Stacie
Sent: 15 Feb 2017 11:52:21 -0500
To: Dragani, Nancy
Subject: RE: Clip: DAPL

Yes, an interesting stat. Thought this was a good overall article given where we are at.

Also, an interesting one relating to spring melt in ND, which I'll push too.

From: Dragani, Nancy
Sent: Wednesday, February 15, 2017 9:48 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: Clip: DAPL

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Sent: Wednesday, February 15, 2017 10:31 AM
To: R8 Division Directors <R8DivisionDirectors@fema.dhs.gov>
Subject: FW: Clip: DAPL

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Jerry DeFelice
External Affairs
FEMA Region VIII, Denver
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303-941-5088 cell
Jerome.DeFelice@fema.dhs.gov



From: Dragani, Nancy
Sent: 23 Feb 2017 03:14:50 +0000
To: Depalo, Lee
Cc: Deal, Timothy
Subject: RE: DAPL

Thanks. Let's monitor but not engage.

Nancy

Sent from my iFEMA mobile device.

From: Depalo, Lee
Sent: Wednesday, February 22, 2017 7:54:40 PM
To: Dragani, Nancy
Cc: Deal, Timothy
Subject: FW: DAPL

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FEMA Region VIII
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Lamont Hudson
DHS/FEMA Region VIII - Logistics
Ordering Unit Lead
Denver Federal Center, Bldg. #20
Office: 303-235-4851
Cell: 303-842-4682
Fax: 303-233-2504

"Teamwork makes the DREAM work."

To: Dombrowski, Justin
Subject: RE: DAPL youtube link?

Thanks.

From: Dombrowski, Justin
Sent: Wednesday, February 22, 2017 9:49 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Subject: DAPL youtube link?

Good morning Nancy, could this be the youtube video you were referencing? It's dated 2/16/17 at 1:45p, 24:31 minutes long, sourced from the Valley Forge Network and titled: Standing Rock – Eviction Notice served @ Sacred Stone Camp - https://www.youtube.com/watch?v=vESxOirI0fo

tried a quick youtube search for last Thursday and this came up, most others are at least 2 weeks old if not older.

From: DeFelice, Jerome
Sent: 6 Feb 2017 10:58:06 -0500
To: R8 ALL PFTs-CORES
Cc: (b)(6) (b)(6) @state.co.us (b)(6) @mail.mil (b)(6) l@mail.mil; (b)(6) @nd.gov (b)(6) @state.sd.us (b)(6) @state.sd.us (b)(6) @utah.gov (b)(6) @wyo.go (b)(6) @acf.hhs.gov (b)(6) @usace.army.mil; (b)(6) @usace.army.mil;d (b)(6) @state.mn.us;Peterson, Mark J; (b)(6) @hhs.gov (b)(6) @hhs.gov (b)(6) @hhs.gov (b)(6) @sba.go v (b)(6) @sba.gov;Nelson, Jason; (b)(6) @fs.fed.us;Alexander, Daniel; (b)(6) @aveshka.com (b)(6) @atf.gov
Subject: Region VIII News Clips, Monday, Feb 6
Attachments: R8 Clips 02-06-17.docx

Region VIII Clips

Wednesday, Feb 1, 2017

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Elbert County Wildfire Forces Saturday Afternoon Evacuations Colorado Springs Gazette

Red flag warning issued on the Colorado plains, winter storm warning for the mountains Colorado Springs Gazette
Colorado lawmakers ask Congress to fix wildfire funding Durango Herald and other outlets statewide.

MONTANA:

NORTH DAKOTA

Heavy Precipitation Raises Red River Flooding Concerns Minneapolis Star Tribune and Fargo Forum.
Standing Rock Sioux want 'no forcible removal' of protesters from Dakota Access pipeline site Washington Post and outlets nationwide.

Souris flood claims another victim Minot Daily News editorial concerns demolition of historic flour mill.

SOUTH DAKOTA:

UTAH:

WYOMING:

FEMA-RELATED STORIES
You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

STORIES

COLORADO:

Elbert County Wildfire Forces Saturday Afternoon Evacuations

By Noelle Phillips
Denver Post, February 4, 2017

The Elbert County Sheriff's Office asked residents in the Chaparral neighborhood to evacuate Saturday afternoon because a wildfire was threatening the neighborhood.

The brush fire had consumed more than 20 acres near Way of Patience and Way of Joy in northeast Elbert County as of 4:30 p.m., according to the sheriff's office's Facebook page.

After 6 p.m., the Sheriff's Office reported the blaze was 90 percent contained and no homes were in danger.

Fire crews from Elizabeth, Rattlesnake, Kiowa, Agate and Deer Trail had responded, according to the Elizabeth Fire Rescue Facebook page.

This story will be updated as more information becomes available.

Red flag warning issued on the Colorado plains, winter storm warning for the mountains

By: **Chhun Sun**
February 6, 2017 *Updated: 4 minutes ago*

0

Don't put away your hiking shorts just yet.

At least another day of outdoor-friendly weather is in the forecast, though expect some strong winds as well.

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Colorado lawmakers ask Congress to fix wildfire funding

Mitigation projects are being postponed because of costly wildfires

By Luke Perkins
Herald Staff Writer

DENVER – The cost of fire suppression nationwide has nine times exceeded $1.5 billion since 2000, including reaching a high of $2.1 billion in 2015.

Colorado state legislators expect the costly trend to continue because of a federal funding mechanism that pulls money that could be used for mitigation projects that could reduce the severity of wildfires.

With this in mind, the state Senate sent a request last month to Colorado's congressional delegation requesting a change in how funding for wildfire response is prioritized across the nation.

Senate Joint Memorial 1 petitions Congress to increase the funding for wildfire suppression for federal land management agencies, such as the Forest Service, Bureau of Land Management and National Park Service.

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"The problem is year after year, the federal government finances the Forest Service at a rate, and it eats a percentage of their budget up more and more and more, and it's projected (in 2017) to be almost two-thirds of their budget," Jones said.

The funding formula for wildfire suppression is based upon the average costs over the previous 10 years, Babete Anderson, national press officer for the Forest Service, said in an email. The increased complexity of wildfire suppression has resulted in the cost exceeding the average nearly every year since 2002, with 2005, 2009 and 2010 being the exceptions.

When the 10-year average is exceeded, money must be drawn from unobligated sources or other programs in a process called a "fire transfer," Anderson said.

The practice allows for fire suppression to be funded when emergencies arise, but it can lead to postponed projects, Anderson said. "When fire transfer occurs, the agency is forced to divert money away from the same forest restoration projects that prevent or lessen the impacts of future wildfire."

This funding is typically replenished by Congress but can lead to disruption of projects and seasonal work, she said.

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issues from the potential for severe fires.

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It’s a perennial issue in the state Legislature and elsewhere, he said. “A number of states have been asking for this for a while, and we’re just keeping up the pressure.”

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“More than 150 bipartisan congressional members have voiced support to remedy this budget issue,” she said.

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“It’s important we get this right, and we have got to get ahead of this because we have got to do more mitigation,” he said.

Lperkins@durangoherald.com

MONTANA:

NORTH DAKOTA:

Heavy Precipitation Raises Red River Flooding Concerns

Associated Press, February 5, 2017

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The region has been soaked with double the usual amount of winter rain, sleet and snow this winter, prompting the National Weather Service to recently issue an early warning about potential spring floods. Meteorologists say there's a risk of moderate flooding around Grand Forks, North Dakota, and East Grand Forks, Minnesota.

But community officials said they're confident their defenses will protect their communities.

"We don't do much of any sort of sandbagging anymore, with the flood protection system we have here," East Grand Forks Fire Chief Gary Larson told the Star Tribune.

The river has flooded in 50 of the past 111 years. This year marks the 20th anniversary of the catastrophic flood of 1997, which submerged communities from Wahpeton-Breckenridge to Fargo-Moorhead to Grand Forks-East Grand Forks and beyond, inflicting billions of dollars in damage across the region.

Spring snowmelt trickles into the north-flowing Red and backs up behind ice jams in still-frozen stretches of the river downstream. But the real problem is the region's pancake-flat terrain, which allows floodwaters to spill and spread across the prairie for miles in every direction.

"The slope of the Red River Valley is so gentle," said Brad Hopkins with the National Weather Service in Grand Forks. "It takes a long time for water to move out of the system once a flood occurs."

If a major flood were to hit the Fargo-Moorhead area this spring, which is unlikely if the current forecast holds, it would be the first test of a new network of $105 million worth of flood control structures, including new pumping stations and some 12 miles of levees.

"The forecast is not as grave a concern as it would have been in previous years," Moorhead City Engineer Bob Zimmerman said.

The forecast could change, however. The National Weather Service will update its flood outlook for the Red River Valley at the end of February.

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Information from: Star Tribune, http://www.startribune.com

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Standing Rock Sioux want 'no forcible removal' of protesters from Dakota Access pipeline site

By Juliet Eilperin, *The Washington Post*

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After months of protests, both tribal officials and residents in the town of Cannon Ball, North Dakota, have asked those opposed to completion of the controversial, 1,170-mile pipeline to

leave. A few hundred activists remain, both on the Standing Rock Sioux's reservation and on neighboring land.

Tribal officials and their allies, including environmentalists and many military veterans, argue that the project could cause environmental damage and disturb ancient burial sites.

Proponents, including President Donald Trump and many business and labor leaders, say it will spur economic growth in the United States and provide a means of safely transporting heavy crude from western North Dakota to the pipeline networks and refineries in Illinois.

On Friday evening, the acting assistant secretary for Indian affairs, Michael S. Black, said that the agency had sent "enforcement support and would assist" the tribe "in closing the protest camps within the Standing Rock Reservation boundary."

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Tribal officials have been trying to persuade protesters to leave on their own, although it is unclear whether they will do so. The extended period of encampment has caused soil erosion that could cause significant flooding, depending on future weather conditions.

Trump has instructed Army Corps of Engineers officials – who withheld the final permit needed to complete the pipeline project in December, citing the need for a more extensive environmental review — to expedite its review of Energy Transfer Partners' application. Officials confirmed last week they were accelerating their review but had not reached a final decision yet.

In the Facebook post, the tribe officials emphasized that they would continue to fight any federal permit for the pipeline in court but that opponents had to be sensitive to those living around the reservation.

"One of the key tenets of any movement is being considerate about how we treat the community in which we bring our voices and respect the places where we are visitors," it said. "The community of Cannonball has every right to choose how it wants people to help them. We are still focused on defeating DAPL on all fronts."

Souris flood claims another victim

Editorials

Feb 6, 2017

The Souris River flood of 2011 has made a victim out of another Minot landmark.

As we reported last week, the former Minot Flour Mill along Third Street Northeast is slated to be moved to make way for flood protection.

While the building is now rather unattractive and therefore probably not seen as much of a loss by many people, the mill is very much part of the town.

In fact, Third Street was originally called Mill Street back when more streets and avenues had names rather than numbers.

Reporter Jill Schramm said in her report that the history of the mill goes back prior to 1904 when pioneer businessmen Erik Ramstad and Alfred Blaisdell founded the Minot Milling Co. Snow White Flour was made there for many years, milled from spring wheat grown by local farmers on nearby fields; a huge source of pride for locals in those days.
There have been a number of buildings many Minot residents wish could have been saved, most notably perhaps the International Harvester Building, also downtown. Older residents would also remember the Elks Home, on South Main Street, and perhaps the Methodist church near the high school.

All of those building were beautiful structures, wonders in their time. They merely outgrew their usefulness, at least in the eyes of their owners. No foul there.

The Minot mill, also splendid in its day – judging by old photos – will see its demise for a different reason. It's in the way of an important flood control project that will benefit the entire Magic City.

When it is finally gone, hopefully the Minot Flour Mill will be remembered as it once looked, not for its present condition. And that it was sacrificed to help tame the river it has stood by for more than a century, through flood after flood after flood. May the "historic" 2011 flood of the Souris River be its last.

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UTAH:

WYOMING:

FEMA-RELATED STORIES:

Jerry DeFelice

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Wednesday, Feb 1, 2017

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Souris flood claims another victim Minot Daily News editorial concerns demolition of historic flour mill.

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You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

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COLORADO:

Elbert County Wildfire Forces Saturday Afternoon Evacuations

By Noelle Phillips
Denver Post, February 4, 2017

The Elbert County Sheriff's Office asked residents in the Chaparral neighborhood to evacuate Saturday afternoon because a wildfire was threatening the neighborhood.

The brush fire had consumed more than 20 acres near Way of Patience and Way of Joy in northeast Elbert County as of 4:30 p.m., according to the sheriff's office's Facebook page.

After 6 p.m., the Sheriff's Office reported the blaze was 90 percent contained and no homes were in danger.

Fire crews from Elizabeth, Rattlesnake, Kiowa, Agate and Deer Trail had responded, according to the Elizabeth Fire Rescue Facebook page.

This story will be updated as more information becomes available.

Red flag warning issued on the Colorado plains, winter storm warning for the mountains

By: **Chhun Sun**
February 6, 2017 *Updated: 4 minutes ago*

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Information from: Star Tribune, http://www.startribune.com

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Standing Rock Sioux want 'no forcible removal' of protesters from Dakota Access pipeline site

By Juliet Eilperin, *The Washington Post*

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Editorials
Feb 6, 2017

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UTAH:

WYOMING:

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From: DeFelice, Jerome
Sent: 31 Jan 2017 11:01:29 -0500
To: R8 ALL PFTs-CORES
Cc: (b)(6)
(b)(6) e@state.co.us (b)(6) @mail.mil (b)(6) @mail.mil; (b)(6)
@nd.gov (b)(6) @state.sd.us; (b)(6) @state.sd.us (b)(6) @utah.gov; (b)(6) @wyo.go
v; (b)(6) @acf.hhs.gov; (b)(6) @usace.army.mil (b)(6) @usace.army.mil; (b
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J (b)(6) @hhs.gov (b)(6) @hhs.gov; (b)(6) @hhs.gov (b)(6) @sba.go
v; (b)(6) @sba.gov;Nelson, Jason; (b)(6) @fs.fed.us;Alexander, Daniel
Subject: Region VIII News Clips, Tuesday, January 31
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High Flood Risk For Northern North Dakota Communities

Category: Local News
Published: Monday, 30 January 2017 09:04
Written by Dean Penner



Water surrounds Pembina, N.D. during 2011 flood (File photo)

Saturated soil and a heavy snowpack have increased the chances of major flooding on the Red River in North Dakota.

The U.S. National Weather Service issued it's first flood forecast of the year on Friday and is predicting above average snowfall for the rest of the winter, increasing the chances of flooding on the Red River.

Areas in the northern part of Red River Valley are at significant risk, especially to the north of Grand Forks near Oslo, Minnesota, and Pembina, North Dakota, according to meteorologist Greg Gust.

"Last summer and fall, a lot of areas were pretty wet including areas across north central and northeast North Dakota into northwest Minnesota and right up into Manitoba. So, as the Red River pushes up through the Pembina gates, we're looking at a potential for a major flood level.

Now, how that level translates into flow is something that we coordinate with hydrologists in southern Manitoba as well."

Manitoba flood forecasters are expected to release their first flood forecast of the year on Monday.

With so much snow this year, some have wondered if we might get close to the flood levels of 1997. Gust stated that's unlikely and suggests there is only a 5 per cent chance of that kind of event occurring this spring based on their numbers at Pembina.

"Right now we're looking at a risk pushing closely to the type of flows that were coming through Pembina back in 2011. So, somewhere between a 1996 and 2011 type flow, which is pretty significant," said Gust. "Now one thing to note about 2011 is that there was a lot of water that came through but it came through over a longer period of time so that the crest coming through Pembina wasn't as high as the 1997 flood, but the actual physical volume of water was actually higher."

NTSB set to release cause of fiery North Dakota train crash

- Associated Press
- 11 hrs ago

FARGO, N.D. — The National Transportation Safety Board will soon release the cause of a 2013 oil train derailment in eastern North Dakota.

The incident happened when a train carrying soybeans derailed in front of an oil tanker train near the small town of Casselton. It caused a series of explosions and the evacuation of hundreds of Casselton residents. No injuries were reported.

The incident contributed to a national discussion about the safety of moving oil by train.

NTSB investigators posted hundreds of pages of records on the derailment in 2015 and noted a broken train axle was found, but it wasn't pinpointed as a cause.

Results of the investigation should be released when the board meets next Tuesday, said NTSB spokesman Eric Weiss.

Crews begin bulldozing abandoned Dakota Access Pipeline protest camps

By WDAY on Jan 30, 2017 at 9:29 p.m.

CANNON BALL, N.D.—Crews are bulldozing the main camp used by protesters of the Dakota Access Pipeline near here.

The contractors were hired by the Standing Rock Sioux Tribe, and they're only bulldozing abandoned camps, not forcefully removing people, officials said.
The Morton County Sheriff's Department says it will begin removing security wire and barriers from the north side of the Backwater bridge later this week, as long as protesters don't engage in any criminal activity.
Highway 1806 will remain closed for now.

Flood funding looks hopeful

Legislators discuss flood money, other budget bills
Local News
Jan 29, 2017
Jill Schramm
Staff Writer
jschramm@minotdailynews.com

Legislative funding for the first four phases of Minot flood protection remains a possibility, despite a decline in the revenue available for water projects, according to state Rep. Roscoe Streyle, R-Minot.

Speaking at the Minot Area Chamber of Commerce legislative forum Saturday, Streyle said a legislative committee is taking a different approach to funding water projects – shunning earmarks to create "buckets" of funds for categories of projects. The flood bucket is projected to contain somewhere in the range of $150 million to $165 million.

"We are still trying to figure out what that dollar amount is, but there will be no earmarks," Streyle said. The governor's budget had included $70 million for Souris River flood control, which is short of the amount needed to complete that fourth phase of construction that the Souris River Joint Board hopes to include in the scope of work this biennium.

The state also faces a major funding request for flood control from Fargo. The governor's budget included $66.5 million.
"There's more than enough money in that bucket to fund more for each project," Streyle said, noting the intent is to provide around $80 million for Minot.

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KFYR-TV, Bismarck

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FEMA-RELATED STORIES:

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By Jacob Passy
January 30, 2017

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High Flood Risk For Northern North Dakota Communities

Category: Local News
Published: Monday, 30 January 2017 09:04
Written by Dean Penner



Water surrounds Pembina, N.D. during 2011 flood (File photo)

Saturated soil and a heavy snowpack have increased the chances of major flooding on the Red River in North Dakota.

The U.S. National Weather Service issued it's first flood forecast of the year on Friday and is predicting above average snowfall for the rest of the winter, increasing the chances of flooding on the Red River.

Areas in the northern part of Red River Valley are at significant risk, especially to the north of Grand Forks near Oslo, Minnesota, and Pembina, North Dakota, according to meteorologist Greg Gust.

"Last summer and fall, a lot of areas were pretty wet including areas across north central and northeast North Dakota into northwest Minnesota and right up into Manitoba. So, as the Red River pushes up through the Pembina gates, we're looking at a potential for a major flood level. Now, how that level translates into flow is something that we coordinate with hydrologists in southern Manitoba as well."

Manitoba flood forecasters are expected to release their first flood forecast of the year on Monday.

With so much snow this year, some have wondered if we might get close to the flood levels of 1997. Gust stated that's unlikely and suggests there is only a 5 per cent chance of that kind of event occurring this spring based on their numbers at Pembina.

"Right now we're looking at a risk pushing closely to the type of flows that were coming through Pembina back in 2011. So, somewhere between a 1996 and 2011 type flow, which is pretty significant," said Gust. "Now one thing to note about 2011 is that there was a lot of water that came through but it came through over a longer period of time so that the crest coming through Pembina wasn't as high as the 1997 flood, but the actual physical volume of water was actually higher."

NTSB set to release cause of fiery North Dakota train crash

- Associated Press
- 11 hrs ago

FARGO, N.D. — The National Transportation Safety Board will soon release the cause of a 2013 oil train derailment in eastern North Dakota.

The incident happened when a train carrying soybeans derailed in front of an oil tanker train near the small town of Casselton. It caused a series of explosions and the evacuation of hundreds of Casselton residents. No injuries were reported.

The incident contributed to a national discussion about the safety of moving oil by train.

NTSB investigators posted hundreds of pages of records on the derailment in 2015 and noted a broken train axle was found, but it wasn't pinpointed as a cause.

Results of the investigation should be released when the board meets next Tuesday, said NTSB spokesman Eric Weiss.

Crews begin bulldozing abandoned Dakota Access Pipeline protest camps

By WDAY on Jan 30, 2017 at 9:29 p.m.

CANNON BALL, N.D.—Crews are bulldozing the main camp used by protesters of the Dakota Access Pipeline near here.

The contractors were hired by the Standing Rock Sioux Tribe, and they're only bulldozing abandoned camps, not forcefully removing people, officials said.

The Morton County Sheriff's Department says it will begin removing security wire and barriers from the north side of the Backwater bridge later this week, as long as protesters don't engage in any criminal activity.

Highway 1806 will remain closed for now.

Flood funding looks hopeful

Legislators discuss flood money, other budget bills
Local News
Jan 29, 2017
Jill Schramm
Staff Writer
jschramm@minotdailynews.com

Legislative funding for the first four phases of Minot flood protection remains a possibility, despite a decline in the revenue available for water projects, according to state Rep. Roscoe Streyle, R-Minot.

Speaking at the Minot Area Chamber of Commerce legislative forum Saturday, Streyle said a legislative committee is taking a different approach to funding water projects – shunning earmarks to create "buckets" of funds for categories of projects. The flood bucket is projected to contain somewhere in the range of $150 million to $165 million.

"We are still trying to figure out what that dollar amount is, but there will be no earmarks," Streyle said. The governor's budget had included $70 million for Souris River flood control, which is short of the amount needed to complete that fourth phase of construction that the Souris River Joint Board hopes to include in the scope of work this biennium.

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From: DeFelice, Jerome
Sent: 8 Feb 2017 12:52:27 -0500
To: R8 ALL PFTs-CORES
Cc: (b)(6) (b)(6)@state.co.us (b)(6)@mail.mil (b)(6)@mail.mil; (b)(6)@nd.gov (b)(6)@state.sd.us; (b)(6)@state.sd.us (b)(6)@utah.gov (b)(6)@wyo.gov; (b)(6)@acf.hhs.gov (b)(6)@usace.army.mil; (b)(6)@usace.army.mil; (b)(6)@state.mn.us;Peterson, Mark J; (b)(6)@hhs.gov; (b)(6)@hhs.gov (b)(6)@hhs.gov; (b)(6)@sba.gov; (b)(6)@sba.gov;Nelson, Jason; (b)(6)@fs.fed.us;Alexander, Daniel; (b)(6)@atf.gov
Subject: Region VIII News Clips, Wednesday, Feb 8
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COLORADO:

Hydrology study recommends higher peak discharges

By David Persons
Trail-Gazette

POSTED: 02/08/2017 06:51:45 AM MST

The recently-released hydrology study of four key watersheds in the Estes Valley is technical in nature and lengthy (333 pages).

However, there are a couple takeaways from this study that can be easily understood.

First, the study of the four watersheds — Fall River, Upper Big Thompson River, Black Canyon Creek, and Dry Gulch — will not replace current peak discharges that are used to update hydrology and floodplain mapping until it goes through a review process and ultimately approved by the Federal Emergency Management Agency (FEMA).

Second, the study reveals that it is recommending that peak discharges for 100-year flood events be greatly increased. The FEMA principal regulatory floodplain boundary is

determined by the 100-year flood event. Therefore, that will have a definite impact, if accepted, on local floodplain mapping.

These points and many others will be discussed at an education meeting 6 p.m. Feb. 27 at the Estes Park Event Center. The hydrology study can be found online at https://www.colorado.gov/townofestespark/floodmitigation. Just click on Read the Hydrology Study Report.

The hydrology study was done for the town by Wright Water Engineers, Inc. (WWE) and includes peer review comments with consultant responses at the end.

In the executive summary portion of the study, it's clear that the reason for this study is to update floodplain hydrology and mapping that was developed in the mid-1970s. It is pointed out that the 2013 flood was the catalyst for this action since the four watershed drainageways all experienced significant flooding.

It explains that WWE used widely-accepted engineering methods and applied them to over 30 years of additional stream gauge data and more advanced engineering resources to update the "effective floodplain hydrology" for 2-, 5-, 10-, 25-, 50-, 100-, and 500-year flood events.

The additional stream gauge data includes information from the 1976 Big Thompson flood, the 1982 Lawn Lake flood, and a significant event in 1965 when Fall River overflowed.

"Effective hydrology" refers to the regulatory peak discharges used by FEMA for flood insurance purposes.

Previous hydrologic and hydraulic analyses — Gingery Associates in 1977 and Limons, Li & Associates, Inc. in 1985 — were also studied and analyzed in this report.

According to Estes Park Floodplain Manager Tina Kurtz, the study uses all existing information, including the 2013 discharge data.

"The study includes data from a number of parameters, such as rainfall, soil types and infiltration rates, in addition to discharge data," Kurtz said. "Also, we now have more advanced methodologies and technology to determine peak discharges than were available in the 1970s."

One of the most interesting tables in the study is Table 13. It shows the current flood insurance study (FIS) peak discharges and recommended new peak discharges.

When studying the 100-year peak discharges in this table, it is obvious that every location (with the exception of Dry Gulch) has a greatly increased discharge flow. Some are doubled

and some are nearly tripled. Especially notable is that Fall River at the confluence with the Big Thompson River in downtown currently has a discharge flow of 680 cubic feet per second (cfs) in a 100-year flood. The new recommended discharge flow is 1,860 cfs, 2.7 times the current accepted discharge flow.

Kurtz said that this study will provide important information for the Estes Valley remapping effort but is just another part of a larger effort to remap the flood-affected areas along the Front Range that sustained significant damage by the 2013 flood.

She said the Colorado Water Conservation Board (CWCB) is the lead agency coordinating the Colorado Hazard Mapping Program. This effort is being funded by the Colorado Legislature.

All studies, including the Estes Valley study, are part of an effort to meet FEMA's guides and standards for regulatory map updates.

Kurtz said the state will eventually submit updated floodplain maps and the hydrology study to FEMA to begin the official regulatory map update process.

She added that there will be an extensive public review and comment process during the period between submission of the report and maps to FEMA and the FEMA adoption of the maps.

The next step in the process will be to present the Estes Valley hydrology study to the Colorado Water Conservation Board for state adoption at its March meeting in Greeley. This is a separate process from FEMA acceptance of the report and maps.

The state will then complete new floodplain maps in late spring/early summer after which will be public meetings held by the state to review the maps.

Kurtz added that the Town Board will have to make a decision as to whether or not the town will use the new hydrology and floodplain boundaries for its floodplain regulatory purposes prior to the adoption of new floodplain boundary maps by FEMA.

Once the new boundary maps are adopted by FEMA, the town will be required to regulate to the new hydrology and adopted maps. Changes to flood insurance requirements will not be effective until FEMA adopts new maps.

El Paso County OKs Push For Federal Grant For Regional Terror-threat Preparedness

By Matt Steiner
Colorado Springs (CO) Gazette, February 7, 2017

The Board Of County Commissioners begin their meeting with an invocation following the oath of office for the new County Commissioners at Centennial Hall on Tuesday, January 10, 2017. Photo by Stacie Scott, The Gazette

A group of a dozen county, city, nonprofit, military and law enforcement leaders are concerned about the threat of terrorist attacks in the Pikes Peak area. And that conglomerate is looking to be ready if such a threat ever becomes reality.

El Paso County commissioners gave their approval Tuesday morning to a grant application that could bring more than $2 million to the region for learning the most efficient way to prepare for and react to a complex coordinated terrorist attack, or CCTA.

Commissioner Peggy Littleton spearheaded a campaign over the past two months to pursue the Federal Emergency Management Agency money. She says that the Pikes Peak region, which is home to the U.S. Army's Fort Carson, Schriever and Peterson Air Force bases, the U.S. Air Force Academy, and the North American Aerospace Defense Command, needs to stay on top of any potential threat.

Littleton was echoed by several city, military and regional leaders that signed letters of support and others who attended a mid-December meeting where Littleton introduced the grant opportunity.

"This project is tailor-made for Colorado Springs and the rest of the region," said Art Glynn, a defense consultant who was at the December meeting.

The commissioners' unanimous approval gives the county until just before midnight on Friday to submit its application. Then FEMA will announce between 25 and 30 grant winners in April. The federal agency has more than $35.9 million available for qualified applicants.

Brian Olson, with the El Paso County budget division, said at Tuesday's Board of County Commissioners meeting that if the application is approved, the county and its partners will have three years beginning in June to use the $2 million on specific initiatives that will include table-top and full-scale CCTA exercises.

"The goal is to have a full plan to be shared by the entire region," Olson said, noting that local groups will not have to provide any matching money to supplement the FEMA grant.

Among the regional partners involved are the county, the City of Colorado Springs, all of the area's military bases, the YMCA of the Pikes Peak Region, the City of Fountain, Colorado Springs Airport and the Council of Neighbors and Organizations.

El Paso County Director of Public Works Jim Reid said the region has staged emergency exercises multiple times in the past. The police force at the University of Colorado Colorado Springs held an active-shooter exercise in 2007 after more than 30 people were killed on the Virginia Tech University campus. A "mass casualty" drill commenced in Colorado Springs and Hanover in 2010. And in early 2016, about 400 people took part in a "deep freeze" simulation to learn best practices during a catastrophic blizzard.

The need for regional leaders to hone their CCTA skills comes in the wake of a rash of terrorism around the globe, including the Boston Marathon bombing in 2013 and the San Bernardino, Calif., attack in December 2015.

Other county leaders that spoke on Tuesday, including multiple commissioners, said the three years of exercises and planning will allow the region to identify gaps in protection and get the mistakes out of the way while the consequences are low.

"It's our responsibility as leaders to be well prepared for some of those things that we've not yet experienced," Littleton said.

MONTANA:

WINTER STORM CLOSES SCHOOLS, SNARLS ROADS

February 06, 2017 at 8:30 pm | By SAM WILSON Daily Inter Lake

A severe winter storm battered Northwest Montana over the weekend, dropping up to three feet of snow in some areas, closing schools and creating widespread traffic impacts that included the closure of U.S. 2 and the BNSF Railway tracks south of Glacier National Park.

Early Monday morning, the Montana Department of Transportation shut down all traffic on U.S. 2 between West Glacier and East Glacier after wind-blown snow in the mountain corridor covered the only east-west highway connecting the region to the Rocky Mountain Front. By late afternoon, officials had reopened the western portion of the snow-bound road to local traffic as far as Essex. But the department's Kalispell division maintenance chief, Justun Juelfs, said through traffic was unlikely to resume until late Tuesday morning, at the earliest.

"We do have rotary blowers on both ends, working from both sides and trying to get two-way traffic again," Juelfs said. But he added, "We're averaging about a mile an hour."

About 16 to 18 miles remained as of Monday afternoon, and Juelfs expected the road crews will have to use the industrial snowblowers on the entire stretch of highway between Essex and Marias Pass.

The BNSF rail line that parallels the highway was shut down Sunday between Whitefish and Shelby. In an email, company spokesman Ross Lane said rail company crews on Monday found eight avalanches that had reached the tracks, but no damage had been detected. A total of 11 snow slides came down along the rail corridor, he said.

Later Monday evening, Lane said the company hoped to open the tracks by 3 p.m. Tuesday, depending on the weather and ability of crews to remove debris from the avalanche paths. Juelfs said BNSF was planning avalanche-mitigation work to clear snow from above the rail line from 9 to 11 a.m. this morning, using concussion charges detonated from a helicopter above the snowpack.

"There will be no MDT staff within that segment just in case any of those avalanches actually make it to the highway," he said, noting that 11 a.m. would be the earliest normal traffic could resume along the highway.

"That's assuming the avalanche-mitigation work doesn't send a large amount of snow down on the road, because that cleanup effort would take a lot longer," Juelfs added.

Amtrak spokesman Marc Magliari said the rail closure affected passengers on the company's Empire Builder route, which stretches from Chicago to Seattle and Portland.

"We're returning a trip to Whitefish this afternoon that was originating in Seattle and Portland, via Spokane, on Saturday," Magliari said Monday, adding the approximately 90 passengers on the train made it as far as Essex before they were forced to turn back.

He also said a west-bound train from Chicago had to head back to Shelby after traveling as far as Browning.

East of the Continental Divide, storm impacts were even more severe. Highways east of Browning were temporarily shut down or in "severe" status, and the extent of ice and snow prompted the Blackfeet Tribe to declare a state of emergency Monday afternoon.

Blackfeet Tribal Business Council Chairman Harry Barnes' emergency declaration urged residents to "shelter in place" and prioritize resources to protect individuals with medical conditions and elderly residents.

While the storm's impacts varied throughout the region, many residents in Northwest Montana woke up Monday morning to ice-covered roads and low visibility as high wind gusts created snow drifts and blowing snow in some areas.

The state's transportation department warned of "extreme driving conditions" throughout the region, including highways in the Columbia Falls area and west of Kalispell.
Juelfs said Monday morning that roads became especially dangerous overnight after temperatures climbed well above freezing Sunday afternoon.

"Yesterday, that turned the roads wet in a lot of areas, but then we had a pretty significant cool-off and that put a lens of ice over the road and that was covered with blowing and drifting snow," he said. "If there isn't an absolute need to travel, I would suggest that people stay home and give our guys an opportunity to get out there, push things back and improve driving conditions."

At Glacier Park International Airport, ice forced the runway to shut down for an hour Sunday night, per Federal Aviation Administration requirements. But airport director Rob Ratkowski said only one flight was delayed during that time, owing mainly to a rare snowstorm in Seattle.
Reporter Sam Wilson can be reached at 758-4407 or by email at swilson@dailyinterlake.com.

NORTH DAKOTA:

Corps to issue DAPL easement as soon as Wednesday afternoon

- CAROLINE GRUESKIN Bismarck Tribune
- 20 hrs ago

The U.S. Army Corps of Engineers has finished its review of the Dakota Access Pipeline and will issue an easement under the Missouri River/Lake Oahe as early as Wednesday afternoon, but the Standing Rock Sioux Tribe has pledged to challenge the decision in court.

The decision comes two weeks after President Donald Trump asked federal agencies to speed up their review of the crude oil pipeline that tribal and environmental activists have protested for months.

In a memo called "Compliance with Presidential Memorandum" and dated Tuesday, a senior Army Civil Works official said he reviewed all the corps study of the pipeline and decided the easement was warranted.

"I have determined that there is no cause for completing any additional environmental analysis," wrote Douglas Lamont, senior official performing the duties of the assistant secretary of the army (Civil Works) in a court filing.

Lamont said his analysis justified reversing an earlier decision made under the Obama administration to explore alternative routes and conduct a full environmental impact statement. A notice terminating the study will be published in the Federal Register, according to filings in the federal court case between the Standing Rock Sioux Tribe and the corps.

Deputy Assistant Army Secretary Paul Cramer notified Congress Tuesday that the corps would grant the easement and waive its normal policy of waiting two weeks after notifying Congress to do so.

The $3.8 billion crude oil pipeline, meant to carry oil from the Bakken to Illinois, has been at a standstill for months due to protests and court challenges from the Standing Rock Sioux Tribe and its Native American and environmentalist allies. The tribe worries the pipeline puts its drinking water and sacred sites at risk. The company has said it is safe.

On Jan. 18, the corps began collecting public comment for a full environmental impact statement regarding the pipeline easement. Shortly after assuming office, Trump signed a memorandum directing the agency to expedite its review.

Lawyers for the company reportedly said in court Monday that construction would be completed in about 60 days and oil could be flowing in about 83. An spokeswoman for pipeline developer Energy Transfer Partners did not respond to an emailed request for comment on Tuesday.

Following the decision, the Standing Rock said the tribe planned to sue on the grounds the EIS was wrongfully terminated.

“The Obama administration correctly found that the Tribe’s treaty rights must be respected and that the easement should not be granted without further review and consideration of alternative crossing locations," Hasselman said. "Trump’s reversal of that decision continues a historic pattern of broken promises to Indian tribes and a violation of treaty rights."

Standing Rock Tribal Chairman Dave Archambault II said, "The Trump administration — yet again — is poised to set a precedent that defies the law and the will of Americans and our allies around the world."

The tribe also plans to hold a march in Washington on March 10 and will "seek to shut the pipeline operations down" if it is constructed, according to a release.

Archambault is again asking supporters to advocate from home and not return to protest in North Dakota, where the state and tribe have been working to clean up the protest camps where several hundred people still live and protest the pipeline.

"Please respect our people and do not come to Standing Rock and instead exercise your First Amendment rights and take this fight to your respective state capitols, to your members of Congress and to Washington, D.C.," he said.

Protest organizers are calling for supporters to protest Wednesday in a "#NoDAPL Last Stand" at their local federal buildings, corps offices and banks financing the pipeline.

"The granting of an easement, without any environmental review or tribal consultation, is not the end of this fight — it is the new beginning," Tom Goldtooth, executive director of the Indigenous Environmental Network, said in a statement. "Expect mass resistance far beyond what Trump has seen so far."

State leaders quickly applauded the Army's decision, heralding it as a win for energy infrastructure and expressing hope it would bring about the end of months-long protests in southern Morton County.

"Our nation needs new energy infrastructure, which means we must have a process to build safe, efficient and environmentally sound projects like pipelines and power lines," Sen. John Hoeven, R-N.D., said in a statement.

Hoeven also said he supports a review of the permitting process for future projects to ensure fairness and opportunity to be heard on all sides.

"For the North Dakota families, workers and tribes who have felt the impact of the Dakota Access Pipeline conflict every day — today's announcement by the U.S. Army Corps of Engineers brings this issue one step closer to final resolution — and delivers the certainty and clarity I've been demanding," Sen. Heidi Heitkamp, D-N.D., said in a statement.

Gov. Doug Burgum called the easement a "step toward the completion of this important infrastructure project" but said his top priority remained public safety and cleanup of the protest camps before a potential spring flood.

"We continue to support the Standing Rock Sioux Tribe's request that protesters leave the area and go home. We also continue to ask for additional federal law enforcement to assist local and state authorities in peacekeeping and provide a safe environment for all North Dakotans until construction is completed," Burgum said.

Reach Caroline Grueskin at 701-250-8225 or at caroline.grueskin@bismarcktribune.com

SOUTH DAKOTA:

UTAH:

Avalanche Closes US Highway 89 In Utah Snowstorm

Associated Press, February 7, 2017

SALT LAKE CITY (AP) – An avalanche closed a stretch of U.S. Highway 89 north of Logan on Tuesday as a wet storm packing heavy snow and strong winds shut down two northern Utah ski resorts and triggered a winter storm warning across much of the state.

The National Weather Service issued the storm warning effective until 4 a.m. Wednesday for most of north-central Utah from the Idaho and Wyoming state lines south to U.S. Interstate 70.

Ten inches of snow fell overnight in the Wasatch range north of Interstate 80 at Powder Mountain and 8 inches south of I-80 at Brighton Crest, the service said Tuesday. An 80 mph gust of wind was recorded at Ogden Peak on Monday night.

Another 3 to 6 inches of snow was expected in the upper elevations into early Wednesday, with winds gusting in excess 60 mph above 7,500 feet. "The combination of strong winds and heavy snow will likely create periods of near-zero visibility due to blowing snow," the service said.

The extreme conditions forced the closure Tuesday of Sundance Mountain Resort northeast of Provo and the Powder Mountain Resort northeast of Ogden.

The U.S. Forest Services' Utah Avalanche Center in Salt Lake City issued an avalanche warning effective until 6 a.m. Wednesday for backcountry recreationists in northern Utah and southeastern Idaho, including the Wasatch, western Uinta, Bear River and Wellsville ranges.

U.S. Highway 89 would be closed indefinitely through Logan Canyon after an avalanche crossed a section of road known as the Dugway on Tuesday afternoon, state transportation officials said.

There were no immediate reports of any injuries. Travelers were advised to use I-80/84 through Evanston, Wyoming or Idaho Highway 36 via Preston, Idaho.

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COLORADO:

Hydrology study recommends higher peak discharges

By David Persons
Trail-Gazette

POSTED: 02/08/2017 06:51:45 AM MST

The recently-released hydrology study of four key watersheds in the Estes Valley is technical in nature and lengthy (333 pages).

However, there are a couple takeaways from this study that can be easily understood.

First, the study of the four watersheds — Fall River, Upper Big Thompson River, Black Canyon Creek, and Dry Gulch — will not replace current peak discharges that are used to update hydrology and floodplain mapping until it goes through a review process and ultimately approved by the Federal Emergency Management Agency (FEMA).

Second, the study reveals that it is recommending that peak discharges for 100-year flood events be greatly increased. The FEMA principal regulatory floodplain boundary is determined by the 100-year flood event. Therefore, that will have a definite impact, if accepted, on local floodplain mapping.

These points and many others will be discussed at an education meeting 6 p.m. Feb. 27 at the Estes Park Event Center. The hydrology study can be found online at https://www.colorado.gov/townofestespark/floodmitigation. Just click on Read the Hydrology Study Report.

The hydrology study was done for the town by Wright Water Engineers, Inc. (WWE) and includes peer review comments with consultant responses at the end.

In the executive summary portion of the study, it's clear that the reason for this study is to update floodplain hydrology and mapping that was developed in the mid-1970s. It is

pointed out that the 2013 flood was the catalyst for this action since the four watershed drainageways all experienced significant flooding.

It explains that WWE used widely-accepted engineering methods and applied them to over 30 years of additional stream gauge data and more advanced engineering resources to update the "effective floodplain hydrology" for 2-, 5-, 10-, 25-, 50-, 100-, and 500-year flood events.

The additional stream gauge data includes information from the 1976 Big Thompson flood, the 1982 Lawn Lake flood, and a significant event in 1965 when Fall River overflowed.

"Effective hydrology" refers to the regulatory peak discharges used by FEMA for flood insurance purposes.

Previous hydrologic and hydraulic analyses — Gingery Associates in 1977 and Limons, Li & Associates, Inc. in 1985 — were also studied and analyzed in this report.

According to Estes Park Floodplain Manager Tina Kurtz, the study uses all existing information, including the 2013 discharge data.

"The study includes data from a number of parameters, such as rainfall, soil types and infiltration rates, in addition to discharge data," Kurtz said. "Also, we now have more advanced methodologies and technology to determine peak discharges than were available in the 1970s."

One of the most interesting tables in the study is Table 13. It shows the current flood insurance study (FIS) peak discharges and recommended new peak discharges.

When studying the 100-year peak discharges in this table, it is obvious that every location (with the exception of Dry Gulch) has a greatly increased discharge flow. Some are doubled and some are nearly tripled. Especially notable is that Fall River at the confluence with the Big Thompson River in downtown currently has a discharge flow of 680 cubic feet per second (cfs) in a 100-year flood. The new recommended discharge flow is 1,860 cfs, 2.7 times the current accepted discharge flow.

Kurtz said that this study will provide important information for the Estes Valley remapping effort but is just another part of a larger effort to remap the flood-affected areas along the Front Range that sustained significant damage by the 2013 flood.

She said the Colorado Water Conservation Board (CWCB) is the lead agency coordinating the Colorado Hazard Mapping Program. This effort is being funded by the Colorado Legislature.

All studies, including the Estes Valley study, are part of an effort to meet FEMA's guides and standards for regulatory map updates.

Kurtz said the state will eventually submit updated floodplain maps and the hydrology study to FEMA to begin the official regulatory map update process.

She added that there will be an extensive public review and comment process during the period between submission of the report and maps to FEMA and the FEMA adoption of the maps.

The next step in the process will be to present the Estes Valley hydrology study to the Colorado Water Conservation Board for state adoption at its March meeting in Greeley. This is a separate process from FEMA acceptance of the report and maps.

The state will then complete new floodplain maps in late spring/early summer after which will be public meetings held by the state to review the maps.

Kurtz added that the Town Board will have to make a decision as to whether or not the town will use the new hydrology and floodplain boundaries for its floodplain regulatory purposes prior to the adoption of new floodplain boundary maps by FEMA.

Once the new boundary maps are adopted by FEMA, the town will be required to regulate to the new hydrology and adopted maps. Changes to flood insurance requirements will not be effective until FEMA adopts new maps.

El Paso County OKs Push For Federal Grant For Regional Terror-threat Preparedness

By Matt Steiner

Colorado Springs (CO) Gazette, February 7, 2017

The Board Of County Commissioners begin their meeting with an invocation following the oath of office for the new County Commissioners at Centennial Hall on Tuesday, January 10, 2017. Photo by Stacie Scott, The Gazette

A group of a dozen county, city, nonprofit, military and law enforcement leaders are concerned about the threat of terrorist attacks in the Pikes Peak area. And that conglomerate is looking to be ready if such a threat ever becomes reality.

El Paso County commissioners gave their approval Tuesday morning to a grant application that could bring more than $2 million to the region for learning the most efficient way to prepare for and react to a complex coordinated terrorist attack, or CCTA.

Commissioner Peggy Littleton spearheaded a campaign over the past two months to pursue the Federal Emergency Management Agency money. She says that the Pikes Peak region, which is home to the U.S. Army's Fort Carson, Schriever and Peterson Air Force bases, the U.S. Air Force Academy, and the North American Aerospace Defense Command, needs to stay on top of any potential threat.

Littleton was echoed by several city, military and regional leaders that signed letters of support and others who attended a mid-December meeting where Littleton introduced the grant opportunity.

"This project is tailor-made for Colorado Springs and the rest of the region," said Art Glynn, a defense consultant who was at the December meeting.

The commissioners' unanimous approval gives the county until just before midnight on Friday to submit its application. Then FEMA will announce between 25 and 30 grant winners in April. The federal agency has more than $35.9 million available for qualified applicants.

Brian Olson, with the El Paso County budget division, said at Tuesday's Board of County Commissioners meeting that if the application is approved, the county and its partners will have three years beginning in June to use the $2 million on specific initiatives that will include table-top and full-scale CCTA exercises.

"The goal is to have a full plan to be shared by the entire region," Olson said, noting that local groups will not have to provide any matching money to supplement the FEMA grant.

Among the regional partners involved are the county, the City of Colorado Springs, all of the area's military bases, the YMCA of the Pikes Peak Region, the City of Fountain, Colorado Springs Airport and the Council of Neighbors and Organizations.

El Paso County Director of Public Works Jim Reid said the region has staged emergency exercises multiple times in the past. The police force at the University of Colorado Colorado Springs held an active-shooter exercise in 2007 after more than 30 people were killed on the Virginia Tech University campus. A "mass casualty" drill commenced in Colorado Springs and Hanover in 2010. And in early 2016, about 400 people took part in a "deep freeze" simulation to learn best practices during a catastrophic blizzard.

The need for regional leaders to hone their CCTA skills comes in the wake of a rash of terrorism around the globe, including the Boston Marathon bombing in 2013 and the San Bernardino, Calif., attack in December 2015.

Other county leaders that spoke on Tuesday, including multiple commissioners, said the three years of exercises and planning will allow the region to identify gaps in protection and get the mistakes out of the way while the consequences are low.

"It's our responsibility as leaders to be well prepared for some of those things that we've not yet experienced," Littleton said.

MONTANA:

WINTER STORM CLOSES SCHOOLS, SNARLS ROADS

February 06, 2017 at 8:30 pm | By SAM WILSON Daily Inter Lake

A severe winter storm battered Northwest Montana over the weekend, dropping up to three feet of snow in some areas, closing schools and creating widespread traffic impacts that included the closure of U.S. 2 and the BNSF Railway tracks south of Glacier National Park.

Early Monday morning, the Montana Department of Transportation shut down all traffic on U.S. 2 between West Glacier and East Glacier after wind-blown snow in the mountain corridor covered the only east-west highway connecting the region to the Rocky Mountain Front.
By late afternoon, officials had reopened the western portion of the snow-bound road to local traffic as far as Essex. But the department's Kalispell division maintenance chief, Justun Juelfs, said through traffic was unlikely to resume until late Tuesday morning, at the earliest.

"We do have rotary blowers on both ends, working from both sides and trying to get two-way traffic again," Juelfs said. But he added, "We're averaging about a mile an hour."

About 16 to 18 miles remained as of Monday afternoon, and Juelfs expected the road crews will have to use the industrial snowblowers on the entire stretch of highway between Essex and Marias Pass.

The BNSF rail line that parallels the highway was shut down Sunday between Whitefish and Shelby. In an email, company spokesman Ross Lane said rail company crews on Monday found eight avalanches that had reached the tracks, but no damage had been detected. A total of 11 snow slides came down along the rail corridor, he said.

Later Monday evening, Lane said the company hoped to open the tracks by 3 p.m. Tuesday, depending on the weather and ability of crews to remove debris from the avalanche paths. Juelfs said BNSF was planning avalanche-mitigation work to clear snow from above the rail line from 9 to 11 a.m. this morning, using concussion charges detonated from a helicopter above the snowpack.

“There will be no MDT staff within that segment just in case any of those avalanches actually make it to the highway,” he said, noting that 11 a.m. would be the earliest normal traffic could resume along the highway.

“That’s assuming the avalanche-mitigation work doesn’t send a large amount of snow down on the road, because that cleanup effort would take a lot longer,” Juelfs added.

Amtrak spokesman Marc Magliari said the rail closure affected passengers on the company’s Empire Builder route, which stretches from Chicago to Seattle and Portland.

“We’re returning a trip to Whitefish this afternoon that was originating in Seattle and Portland, via Spokane, on Saturday,” Magliari said Monday, adding the approximately 90 passengers on the train made it as far as Essex before they were forced to turn back.

He also said a west-bound train from Chicago had to head back to Shelby after traveling as far as Browning.

East of the Continental Divide, storm impacts were even more severe. Highways east of Browning were temporarily shut down or in “severe” status, and the extent of ice and snow prompted the Blackfeet Tribe to declare a state of emergency Monday afternoon.

Blackfeet Tribal Business Council Chairman Harry Barnes’ emergency declaration urged residents to “shelter in place” and prioritize resources to protect individuals with medical conditions and elderly residents.

While the storm’s impacts varied throughout the region, many residents in Northwest Montana woke up Monday morning to ice-covered roads and low visibility as high wind gusts created snow drifts and blowing snow in some areas.

The state's transportation department warned of "extreme driving conditions" throughout the region, including highways in the Columbia Falls area and west of Kalispell.
Juelfs said Monday morning that roads became especially dangerous overnight after temperatures climbed well above freezing Sunday afternoon.

"Yesterday, that turned the roads wet in a lot of areas, but then we had a pretty significant cool-off and that put a lens of ice over the road and that was covered with blowing and drifting snow," he said. "If there isn't an absolute need to travel, I would suggest that people stay home and give our guys an opportunity to get out there, push things back and improve driving conditions."

At Glacier Park International Airport, ice forced the runway to shut down for an hour Sunday night, per Federal Aviation Administration requirements. But airport director Rob Ratkowski said only one flight was delayed during that time, owing mainly to a rare snowstorm in Seattle.
Reporter Sam Wilson can be reached at 758-4407 or by email at swilson@dailyinterlake.com.

NORTH DAKOTA:

Corps to issue DAPL easement as soon as Wednesday afternoon

- CAROLINE GRUESKIN Bismarck Tribune
- 20 hrs ago

The U.S. Army Corps of Engineers has finished its review of the Dakota Access Pipeline and will issue an easement under the Missouri River/Lake Oahe as early as Wednesday afternoon, but the Standing Rock Sioux Tribe has pledged to challenge the decision in court.

The decision comes two weeks after President Donald Trump asked federal agencies to speed up their review of the crude oil pipeline that tribal and environmental activists have protested for months.

In a memo called "Compliance with Presidential Memorandum" and dated Tuesday, a senior Army Civil Works official said he reviewed all the corps study of the pipeline and decided the easement was warranted.

"I have determined that there is no cause for completing any additional environmental analysis," wrote Douglas Lamont, senior official performing the duties of the assistant secretary of the army (Civil Works) in a court filing.

Lamont said his analysis justified reversing an earlier decision made under the Obama administration to explore alternative routes and conduct a full environmental impact statement. A notice terminating the study will be published in the Federal Register, according to filings in the federal court case between the Standing Rock Sioux Tribe and the corps.

Deputy Assistant Army Secretary Paul Cramer notified Congress Tuesday that the corps would grant the easement and waive its normal policy of waiting two weeks after notifying Congress to do so.

The $3.8 billion crude oil pipeline, meant to carry oil from the Bakken to Illinois, has been at a standstill for months due to protests and court challenges from the Standing Rock Sioux Tribe and its Native American and environmentalist allies. The tribe worries the pipeline puts its drinking water and sacred sites at risk. The company has said it is safe.

On Jan. 18, the corps began collecting public comment for a full environmental impact statement regarding the pipeline easement. Shortly after assuming office, Trump signed a memorandum directing the agency to expedite its review.

Lawyers for the company reportedly said in court Monday that construction would be completed in about 60 days and oil could be flowing in about 83. An spokeswoman for pipeline developer Energy Transfer Partners did not respond to an emailed request for comment on Tuesday.

Following the decision, the Standing Rock said the tribe planned to sue on the grounds the EIS was wrongfully terminated.

“The Obama administration correctly found that the Tribe’s treaty rights must be respected and that the easement should not be granted without further review and consideration of alternative crossing locations," Hasselman said. "Trump’s reversal of that decision continues a historic pattern of broken promises to Indian tribes and a violation of treaty rights."

Standing Rock Tribal Chairman Dave Archambault II said, "The Trump administration — yet again — is poised to set a precedent that defies the law and the will of Americans and our allies around the world."

The tribe also plans to hold a march in Washington on March 10 and will "seek to shut the pipeline operations down" if it is constructed, according to a release.

Archambault is again asking supporters to advocate from home and not return to protest in North Dakota, where the state and tribe have been working to clean up the protest camps where several hundred people still live and protest the pipeline.

"Please respect our people and do not come to Standing Rock and instead exercise your First Amendment rights and take this fight to your respective state capitols, to your members of Congress and to Washington, D.C.," he said.

Protest organizers are calling for supporters to protest Wednesday in a "#NoDAPL Last Stand" at their local federal buildings, corps offices and banks financing the pipeline.

"The granting of an easement, without any environmental review or tribal consultation, is not the end of this fight — it is the new beginning," Tom Goldtooth, executive director of the Indigenous Environmental Network, said in a statement. "Expect mass resistance far beyond what Trump has seen so far."

State leaders quickly applauded the Army's decision, heralding it as a win for energy infrastructure and expressing hope it would bring about the end of months-long protests in southern Morton County.

"Our nation needs new energy infrastructure, which means we must have a process to build safe, efficient and environmentally sound projects like pipelines and power lines," Sen. John Hoeven, R-N.D., said in a statement.

Hoeven also said he supports a review of the permitting process for future projects to ensure fairness and opportunity to be heard on all sides.

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WYOMING:

FEMA-RELATED STORIES:

From: DeFelice, Jerome
Sent: 15 Feb 2017 12:14:07 -0500
To: R8 ALL PFTs-CORES
Cc: (b)(6)
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Jason;(b)(6) @fs.fed.us;Alexander, Daniel(b)(6) @atf.gov;(b)(6) @aveshka.com
Subject: Region VIII News Desk, Wed, Feb 15
Attachments: R8 clips 02-15-17.docx

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State officials warn of river contamination Bismarck Tribune. Concerns DAPL campsite.

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North Wyoming ice jam breaks, flood worries moves downstream Casper Star Tribune

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ND heat wave next week could lessen spring flooding in some areas

By April Baumgarten, Fargo Forum on Feb 14, 2017 at 5:54 p.m.

GRAND FORKS, N.D.—February could get a little toasty, but the warmer temperatures could help melt the rest of the snow and, in turn, lessen spring flooding for some areas of the Red River Valley.
After a brief cold snap moved into the region last week, temperatures have been about 20 degrees above normal, according to the National Weather Service. Highs statewide have

lingered in the high 30s this week and are expected to climb into the low and mid-40s by the weekend, according to the National Weather Service.

"We have gotten into the 44 to 51 range for this week of February," NWS meteorologist Peter Speicher said of past weather readings. "We've been as warm as 51 back in 2000. It's not totally uncommon, but it's still well above seasonal norms."

An extended outlook from NWS favors above-normal temperatures next week for most of the country except for the West Coast and Alaska.

Records possible

Some cities have a shot of setting record highs next week, and for Grand Forks, Sunday's record high could be the easiest to break. The city's high temperature record for Feb. 19, set last year, was 44 at the Grand Forks International Airport, and Speicher said Sunday's forecast calls for a high of 45 degrees.

"That would be the easiest to break," Speicher said.

No high records have been set in February so far this year.

Above-freezing temperatures could be good news for southern and western parts of North Dakota. The warm weather should speed up snowmelt, helping to remove excess moisture from river basins along watersheds.

Fields in the southern part of the Red River Valley have little snow compared with the Red River of the North starting near Hillsboro.

Paths could open up as the snow melts, taking the excess water to rivers, streams and lakes. Areas should be on the lookout for rising water levels, but the melt taking off that excess water from snowpack slowly could help alleviate flooding in the spring, according to the NWS. Less snow could mean less moisture that could flow over the plains.

"Anything helps," Speicher said. "It definitely helps that we are going back below freezing at night because that slows the flow rate down."

Devils Lake Basin

In the Devils Lake Basin, they could see above-freezing temperatures Wednesday and into the weekend, with some days going above 40 degrees.

A slow melt can't hurt the Devils Lake Basin, said Jeff Frith, manager of the Devils lake Basin Joint Water Resource Board. The region surrounding the 150,000-acre lake likely will see major flooding due to heavy snow and saturated soil from a wet summer and fall. NWS meteorologists predict a 2-foot to 4-foot rise with record runoff and possibly elevations.

There still is a lot of winter left and potential for more snow, though Devils Lake has been lucky since snowfall has been relatively low for moisture accumulation in January and into mid-February, he said.

"A long, slow melt would be just what the doctor ordered, but I think we have way too much winter left to start getting really excited about spring," Frith said.

NWS meteorologists were assessing snowpack and other factors that will play a role in predicting flood outlooks. The agency's second spring flood outlook is due Thursday, though Frith doesn't expect much to change since the last one was released almost three weeks ago.

The Midwest likely will see more precipitation than normal in February, and that trend should continue into April, according to NWS. There is no precipitation forecast for this week, though there is a 50 percent chance of next week being wetter than normal.

Overall, February for almost all of the U.S. should be warmer than normal. Colder-than-normal temperatures could return by the end of February and into early March, NWS meteorologists predict.

A guide to recent events in the Dakota Access pipeline battle

North Dakota says law enforcement response to pipeline protests has cost taxpayers $33 million so far.



Tom Stromme, The Bismarck Tribune

This aerial photo shows a site where the final phase of the Dakota Access Pipeline will take place with boring equipment routing the pipeline underground and across Lake Oahe to connect with the existing pipeline in Emmons County, Feb. 13, 2017, in Cannon Ball, N.D.

By The Associated Press

PUBLISHED: February 14, 2017 at 6:02 pm | UPDATED: February 14, 2017 at 6:31 pm

By Blake Nicholson, *The Associated Press*

BISMARCK, N.D. — The disputed four-state Dakota Access pipeline could be moving oil in as little as a month, though opponents are promising to continue fighting the project. Here's a look at recent developments, and what's to come:

How far along is construction of the Dakota Access pipeline?

Texas-based developer Energy Transfer Partners on Feb. 8 received approval from the Army to lay pipe under a Missouri River reservoir in North Dakota — the last remaining section of the 1,200-mile pipeline that would move North Dakota oil to Illinois. Drilling work at Lake Oahe began immediately. The development was prompted by President Donald Trump, who pushed the Army to advance construction.

ETP spokeswoman Vicki Granado initially said the pipeline would be operational within three months. However, company lawyer David Debold on Monday suggested it could be ready for oil in as little as 30 days. Granado credited the efficiency of the company's equipment and crews, but didn't elaborate.

What's the latest ruling in the court cases involving the Standing Rock and Cheyenne River Sioux?

The Standing Rock and Cheyenne River Sioux say the $3.8 billion pipeline threatens their drinking water, cultural sites and ability to practice their religion, which depends on pure water. They asked U.S. District Judge James Boasberg to temporarily halt construction at Lake Oahe until their legal challenges are resolved.

Boasberg on Monday refused, though he scheduled a Feb. 27 hearing on a request by Cheyenne River to force the Army to withdraw its permission for the lake crossing.

Tom Stromme, The Bismarck Tribune via AP, file

A section of the Dakota Access Pipeline under construction near the town of St. Anthony in Morton County, N.D., on June 29, 2016.

A Standing Rock attorney plans to ask Boasberg to rule on the tribe's claims before pipeline operations begin.

The Oglala and Yankton Sioux tribes in South Dakota have filed similar legal challenges, the Yankton tribe in September and the Oglala Sioux on Saturday.

In a separate lawsuit, pipeline opponents suing police for allegedly using excessive force are appealing a federal judge's recent ruling allowing authorities to continue using tactics such as tear gas and rubber bullets for crowd dispersal.

Are there still people protesting construction of the pipeline?

Law enforcement records show that such tactics haven't been used since Jan. 19, at a blockaded highway bridge in the area of a protest encampment on federal land in southern North Dakota.

The camp has at times housed thousands of protesters who have often clashed with police. It's now home to only a few hundred people and is being cleaned up in advance of spring flooding and a Feb. 22 closing date set by the Army Corps of Engineers.

Many protesters don't plan to leave the area. Cheyenne River chairman Harold Frazier says that tribe is leasing about 25 acres on the Standing Rock Reservation for camps. American Indian activist Chase Iron Eyes also is encouraging a continued presence in the area.

Is the bridge that was damaged by fire open to traffic?

The bridge on U.S. 1806 has been closed since it was damaged by fires Oct. 28. Officials have been working in recent weeks to reopen it in the interest of easing tensions.

Guardrail repairs were completed Friday and temporary asphalt patching was finished Monday, at a total cost of about $10,000, according to Department of Transportation spokeswoman

Jamie Olson. However, it won't be reopened until authorities determine tensions have eased enough to warrant it, said Morton County sheriff's spokesman Rob Keller.

The Transportation Department on Monday did reopen 8 miles of an 18-mile closed stretch of the highway, "allowing farmers, ranchers, people who have business down there to have more freedom of travel," Keller said.

What's the price tag for law enforcement related to the Dakota Access pipeline protest?

Law enforcement continues to maintain a heavy presence in the area despite the fading of protests.

New figures from the state show the law enforcement response over the past half-year has involved officers from 10 states, resulted in 705 arrests and cost taxpayers $33 million — $25 million for officer pay, $3.6 million for travel and lodging, and $4.3 million for equipment and supplies.

The data show that 92 percent of the 660 people who have been arrested are not from North Dakota.

State officials warn of river contamination

- LAUREN DONOVAN Bismarck Tribune

Lauren Donovan

Expected near-record temperatures and rapid snow melt are increasing the risk of high water by week's end at the Dakota Access Pipeline protest camps — and state officials are worried time is running out to prevent contamination of the rivers there.

U.S. Army Corps of Engineers Maj. French Pope toured the Oceti Sakowin main protest camp Tuesday to assess the situation and determine what additional resources will be needed to complete the cleanup, started by the Standing Rock Sioux Tribe, camp residents and volunteers on Jan. 31.

The camp is on corps land and remains occupied by 300 to 400 people in yurts, teepees, fortified tents and other structures. Much of the camp area has been cleared out, with thousands of tons of material hauled to the landfill in the past two weeks.

Gov. Doug Burgum said the corps' assessment is crucial to accelerating the cleanup before garbage, vehicles, structures and human waste wash into the Cannonball and Missouri rivers.

"We cannot afford to wait any longer," Burgum said.

The National Weather Service reports that people on the Cannonball, Knife and Heart rivers' watersheds should watch for rising water over the next several days.

Dave Glatt, state Department of Health environmental chief, said cleanup efforts will have to be doubled and any protesters at the camp who refuse to move are potentially worsening a bad situation for people who depend on the water.

"As long as we have frozen ground and melting snow, the water is going to continue to rise in the camps," Glatt said.

The weather service and the U.S. Geological Survey will install a new stream gauge on the Cannonball River near the camp Wednesday to closely monitor river heights in the area.

"That area, by nature, is prone to flooding. The Cannonball River and the Cantapeta Creek, along with the Missouri River, all come together in the area of the protest camp, which is sitting down in the floodplain," said state engineer Garland Eberle with the State Water Commission. "We've historically seen ice jamming which

causes a backup of flood water. If you're really trying to protect the river, it is imperative we get that stuff cleaned up before we see a flood."

(Reach Lauren Donovan at 701-220-5511 or lauren@westriv.com.)

SOUTH DAKOTA:

UTAH:

Red Cross hosts relief event for Box Elder residents affected by flooding

TUESDAY , FEBRUARY 14, 2017 - 6:58 PM

JESSICA KOKESH, Standard-Examiner Staff

BRIGHAM CITY — Box Elder County residents who have been affected by flooding will have an opportunity to discuss recovery plans with experts next week.

The Northern Utah Chapter of the American Red Cross is partnering with other local disaster assistance organizations to host a multi-agency resource center from 7:30 to 9 p.m. on Wednesday, Feb. 22, at the Aldersgate United Methodist Church, 235 East 850 South, in Brigham City.

Trained caseworkers will be available to help residents create recovery plans, navigate paperwork and locate assistance for specific needs caused by the disaster, according to a press release from the Red Cross.

Representatives from several government, nonprofit and religiously affiliated disaster relief organizations will also be on hand.

Tom Aston, Red Cross operations director, said few people in Box Elder County have requested aid from the Red Cross or county organizations, but he anticipates an increase in need as more storm systems move through the area later in the week.

Aston advised residents they should bring some form of identification that proves they live at the residence they're claiming assistance for.

WYOMING:

North Wyoming ice jam breaks, flood worries moves downstream

- BOB MOEN Associated Press
- Feb 14, 2017 Updated 12 hrs ago

CHEYENNE — Evacuated residents of a northern Wyoming community alongside the Big Horn River were allowed back home Tuesday after an ice jam that caused flooding broke up overnight, but flooding concerns immediately shifted to communities downstream.

The flooding left huge slabs of ice littered around the streets of the small city of Worland that had to be removed by heavy equipment operators, said Washakie County government spokeswoman Kami Neighbors.

Officials were assessing damage to homes and businesses.

They were also monitoring the ice jam that moved about 10 miles downstream, said National Weather Service meteorologist Trevor LaVoie.

A rapid melt of low elevation snowpack that sent water into a river still choked with ice caused the river to rise about 5 feet above its flood stage last Saturday.

Next in line for possible flooding were the small Big Horn County towns of Manderson and Greybull.

About 40 Wyoming National Guard members were being moved from Worland to Manderson, said Kelly Ruiz, spokeswoman with the Wyoming Homeland Security Office.

Two teams of firefighters who normally fight forest fires in the summer are in Greybull, Ruiz said.

“They are sandbagging and preparing for the rising water,” she said.

Residents in Big Horn County have been warned by local authorities to be prepared to leave their homes if the river tops its banks, Ruiz said.

FEMA-RELATED STORIES:

Region VIII Clips
Wednesday, Feb 15, 2017

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ND heat wave next week could lessen spring flooding in some areas Fargo Forum

A guide to recent events in the Dakota Access pipeline battle Associated Press. Article also ran in the Denver Post and media outlets nationwide.

State officials warn of river contamination Bismarck Tribune

SOUTH DAKOTA:

UTAH:

Red Cross hosts relief event for Box Elder residents affected by flooding Ogden Standard Observer

WYOMING:

North Wyoming ice jam breaks, flood worries moves downstream Casper Star Tribune

FEMA-RELATED STORIES

You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

STORIES

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NORTH DAKOTA:

ND heat wave next week could lessen spring flooding in some areas

By April Baumgarten, Fargo Forum on Feb 14, 2017 at 5:54 p.m.

GRAND FORKS, N.D.—February could get a little toasty, but the warmer temperatures could help melt the rest of the snow and, in turn, lessen spring flooding for some areas of the Red River Valley.

After a brief cold snap moved into the region last week, temperatures have been about 20 degrees above normal, according to the National Weather Service. Highs statewide have lingered in the high 30s this week and are expected to climb into the low and mid-40s by the weekend, according to the National Weather Service.

"We have gotten into the 44 to 51 range for this week of February," NWS meteorologist Peter Speicher said of past weather readings. "We've been as warm as 51 back in 2000. It's not totally uncommon, but it's still well above seasonal norms."

An extended outlook from NWS favors above-normal temperatures next week for most of the country except for the West Coast and Alaska.

Records possible

Some cities have a shot of setting record highs next week, and for Grand Forks, Sunday's record high could be the easiest to break. The city's high temperature record for Feb. 19, set last year, was 44 at the Grand Forks International Airport, and Speicher said Sunday's forecast calls for a high of 45 degrees.

"That would be the easiest to break," Speicher said.

No high records have been set in February so far this year.

Above-freezing temperatures could be good news for southern and western parts of North Dakota. The warm weather should speed up snowmelt, helping to remove excess moisture from river basins along watersheds.

Fields in the southern part of the Red River Valley have little snow compared with the Red River of the North starting near Hillsboro.

Paths could open up as the snow melts, taking the excess water to rivers, streams and lakes. Areas should be on the lookout for rising water levels, but the melt taking off that excess water from snowpack slowly could help alleviate flooding in the spring, according to the NWS. Less snow could mean less moisture that could flow over the plains.

"Anything helps," Speicher said. "It definitely helps that we are going back below freezing at night because that slows the flow rate down."

Devils Lake Basin

In the Devils Lake Basin, they could see above-freezing temperatures Wednesday and into the weekend, with some days going above 40 degrees.

A slow melt can't hurt the Devils Lake Basin, said Jeff Frith, manager of the Devils lake Basin Joint Water Resource Board. The region surrounding the 150,000-acre lake likely will see major flooding due to heavy snow and saturated soil from a wet summer and fall. NWS meteorologists predict a 2-foot to 4-foot rise with record runoff and possibly elevations.

There still is a lot of winter left and potential for more snow, though Devils Lake has been lucky since snowfall has been relatively low for moisture accumulation in January and into mid-February, he said.

"A long, slow melt would be just what the doctor ordered, but I think we have way too much winter left to start getting really excited about spring," Frith said.

NWS meteorologists were assessing snowpack and other factors that will play a role in predicting flood outlooks. The agency's second spring flood outlook is due Thursday, though Frith doesn't expect much to change since the last one was released almost three weeks ago.

The Midwest likely will see more precipitation than normal in February, and that trend should continue into April, according to NWS. There is no precipitation forecast for this week, though there is a 50 percent chance of next week being wetter than normal.

Overall, February for almost all of the U.S. should be warmer than normal. Colder-than-normal temperatures could return by the end of February and into early March, NWS meteorologists predict.

A guide to recent events in the Dakota Access pipeline battle

North Dakota says law enforcement response to pipeline protests has cost taxpayers $33 million so far.



Tom Stromme, The Bismarck Tribune
This aerial photo shows a site where the final phase of the Dakota Access Pipeline will take place with boring equipment routing the pipeline underground and across Lake Oahe to connect with the existing pipeline in Emmons County, Feb. 13, 2017, in Cannon Ball, N.D.

By The Associated Press
PUBLISHED: February 14, 2017 at 6:02 pm | UPDATED: February 14, 2017 at 6:31 pm

By Blake Nicholson, *The Associated Press*

BISMARCK, N.D. — The disputed four-state Dakota Access pipeline could be moving oil in as little as a month, though opponents are promising to continue fighting the project. Here's a look at recent developments, and what's to come:

How far along is construction of the Dakota Access pipeline?

Texas-based developer Energy Transfer Partners on Feb. 8 received approval from the Army to lay pipe under a Missouri River reservoir in North Dakota — the last remaining section of the 1,200-mile pipeline that would move North Dakota oil to Illinois. Drilling work at Lake Oahe began immediately. The development was prompted by President Donald Trump, who pushed the Army to advance construction.

ETP spokeswoman Vicki Granado initially said the pipeline would be operational within three months. However, company lawyer David Debold on Monday suggested it could be ready for oil in as little as 30 days. Granado credited the efficiency of the company's equipment and crews, but didn't elaborate.

What's the latest ruling in the court cases involving the Standing Rock and Cheyenne River Sioux?

The Standing Rock and Cheyenne River Sioux say the $3.8 billion pipeline threatens their drinking water, cultural sites and ability to practice their religion, which depends on pure water. They asked U.S. District Judge James Boasberg to temporarily halt construction at Lake Oahe until their legal challenges are resolved.

Boasberg on Monday refused, though he scheduled a Feb. 27 hearing on a request by Cheyenne River to force the Army to withdraw its permission for the lake crossing.

Tom Stromme, The Bismarck Tribune via AP, file

A section of the Dakota Access Pipeline under construction near the town of St. Anthony in Morton County, N.D., on June 29, 2016.

A Standing Rock attorney plans to ask Boasberg to rule on the tribe's claims before pipeline operations begin.

The Oglala and Yankton Sioux tribes in South Dakota have filed similar legal challenges, the Yankton tribe in September and the Oglala Sioux on Saturday.

In a separate lawsuit, pipeline opponents suing police for allegedly using excessive force are appealing a federal judge's recent ruling allowing authorities to continue using tactics such as tear gas and rubber bullets for crowd dispersal.

Are there still people protesting construction of the pipeline?

Law enforcement records show that such tactics haven't been used since Jan. 19, at a blockaded highway bridge in the area of a protest encampment on federal land in southern North Dakota.

The camp has at times housed thousands of protesters who have often clashed with police. It's now home to only a few hundred people and is being cleaned up in advance of spring flooding and a Feb. 22 closing date set by the Army Corps of Engineers.

Many protesters don't plan to leave the area. Cheyenne River chairman Harold Frazier says that tribe is leasing about 25 acres on the Standing Rock Reservation for camps. American Indian activist Chase Iron Eyes also is encouraging a continued presence in the area.

Is the bridge that was damaged by fire open to traffic?

The bridge on U.S. 1806 has been closed since it was damaged by fires Oct. 28. Officials have been working in recent weeks to reopen it in the interest of easing tensions.

Guardrail repairs were completed Friday and temporary asphalt patching was finished Monday, at a total cost of about $10,000, according to Department of Transportation spokeswoman Jamie Olson. However, it won't be reopened until authorities determine tensions have eased enough to warrant it, said Morton County sheriff's spokesman Rob Keller.

The Transportation Department on Monday did reopen 8 miles of an 18-mile closed stretch of the highway, "allowing farmers, ranchers, people who have business down there to have more freedom of travel," Keller said.

What's the price tag for law enforcement related to the Dakota Access pipeline protest?

Law enforcement continues to maintain a heavy presence in the area despite the fading of protests.

New figures from the state show the law enforcement response over the past half-year has involved officers from 10 states, resulted in 705 arrests and cost taxpayers $33 million — $25 million for officer pay, $3.6 million for travel and lodging, and $4.3 million for equipment and supplies.

The data show that 92 percent of the 660 people who have been arrested are not from North Dakota.

State officials warn of river contamination

- LAUREN DONOVAN Bismarck Tribune

Expected near-record temperatures and rapid snow melt are increasing the risk of high water by week's end at the Dakota Access Pipeline protest camps — and state officials are worried time is running out to prevent contamination of the rivers there.

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UTAH:

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“They are sandbagging and preparing for the rising water,” she said.

Residents in Big Horn County have been warned by local authorities to be prepared to leave their homes if the river tops its banks, Ruiz said.

FEMA-RELATED STORIES:

From: Hudson, Lamont
Sent: 25 Jan 2017 14:01:03 -0500
To: FEMA-MOC-DENVER;Dragani, Nancy;Depalo, Lee;Deal, Timothy;Greff, Stacie
Cc: Garcia, Maria (b)(6) @nd.gov
Subject: Standing Rock/DAPL update

Hi All,

I spoke with Rob Keller, the North Dakota Public Information Officer earlier this morning and he gave me some sources for information relating to the Standing Rock Protests that are currently on day 169.

As the Denver MOC indicated earlier, there is no rioting taking place and there haven't been a substantial amount of arrests since 1/19, shortly after the Martin Luther King Holiday.

If you wish to learn more information and seek situation updates on the Standing Rock/Dakota Access Pipeline Protests, please see the links below:

http://www.ndresponse.gov/

http://www.valleynewslive.com/content/news/Morton-County-Sheriffs-Department-releases-Know-the-Truth-videos-on-DAPL-protests-403483796.html

Respectfully,

Lamont Hudson

DHS/FEMA Region VIII - Logistics
Ordering Unit Lead
Denver Federal Center, Bldg. #20
Office: 303-235-4851
Cell: 303-842-4682
Fax: 303-233-2504

"Teamwork makes the DREAM work."

From: Appenrodt, Kathleen
Sent: 1 Feb 2017 12:04:24 -0500
To: R8 Division Directors
Subject: State Director Workshop is cancelled

Good morning,

Due to DAPL protests and state legislature sessions discussing potential emergency management budget cuts, only two of our State Directors could participate in the Workshop. As a result, we will be cancelling the event. We will still be holding the RISC on Thursday, February 23, and I'll send out an agenda for that meeting later this week.

Thank you and please let me know if you have any questions,
Katie

Katie Appenrodt
Senior Policy Advisor
FEMA Region VIII
303-235-4775 office
720-666-9835 cell
Kathleen.Appenrodt@fema.dhs.gov

From: FEMA-MOC-DENVER
Sent: 7 Feb 2017 15:43:03 -0500
To: R8 FEMA SA Team;Root, Michael;Sterling, Stephen
Subject: USACE to Grant Easement for DAPL, 07 Feb 2017

All,

http://www.kfyrtv.com/content/news/Army-Corps-to-grant-easement-for-DAPL-under-Lake-Oahe-413068983.html

CANNON BALL, N.D. - The U.S. Army Corps of Engineers announced Tuesday they intend to grant an easement to Dakota Access to construct a pipeline under Corps-managed federal land at Lake Oahe.

The agency has also announced that it will not be preparing an Environmental Impact Statement.

Elizabeth Nakai
Operations Watch Officer
Denver MERS Operations Center &
FEMA Alternate Operations Center – West
800-311-7021

From: Greff, Stacie
Sent: 17 Mar 2017 15:46:27 +0000
To: Dragani, Nancy
Cc: R8 Division Directors;Dombrowski, Justin
Subject: Clip: DAPL

In clips, but ensuring visibility.

From: DeFelice, Jerome
Sent: Friday, March 17, 2017 9:00 AM
To: Greff, Stacie ; Dombrowski, Justin ; Floyd, Megan ; Garcia, Carol
Subject: Clip: DAPL

Iâ€™ll include in the clips but wanted to make sure you saw thisâ€¦

US taxpayers might be on the hook for pipeline protest costs

ℜ• By BLAKE NICHOLSON Associated Press
ℜ• Mar 16, 2017 Updated 19 hrs ago
ℜ•

BISMARCK, N.D. (AP) â€" North Dakota officials appear poised to go after the U.S. government â€" and thus U.S. taxpayers â€" to recoup more than $38 million in state expenses related to months of protests against the Dakota Access pipeline, though a longstanding offer from the project's developer to pay up is still on the table.

One taxpayer watchdog group questions why the state isn't jumping at the offer from Dallas-based Energy Transfer Partners, a company worth billions of dollars.

"You take the money when you can get it," said Dustin Gawrylow, managing director of the North Dakota Watchdog Network, which keeps tabs on how public money is spent.

The matter might not be that simple. Common Cause, a nonpartisan group that promotes government accountability, says accepting money from a private-sector business in an industry it regulates would present the state with an ethical dilemma.

Pipeline opponents have long accused the state of being too cozy with ETP, and if the state takes the company's money "it certainly would lend credence to those arguments," said Joye Braun, a protest leader.

"For Energy Transfer to offer a donation, basically that's paying off the state for using state resources as personal security," she said.

Gawrylow said ETP's offer, while it would help the state, might be more marketing than generosity.

"They're not spending it out of the goodness of their heart. They're spending it to build goodwill in North Dakota" after months of upheaval, he said.

Work is wrapping up on the $3.8 billion pipeline to move North Dakota oil 1,200 miles to a shipping point in Illinois, and oil could be flowing as early as Monday despite an ongoing legal challenge by Sioux tribes who fear the project could affect their water supply â€" a claim ETP rejects.

The saga has endured for months, with hundreds and sometimes thousands of pipeline opponents camping on federal land near the drill site and often clashing with police. About 750 arrests were made between early August and late February, when camps on property managed by the Corps were shut down in advance of spring flooding season.

State officials have not been clear on why they haven't accepted ETP's offer, first made in the fall.

"The governor hasn't said whether the state will or won't seek reimbursement from ETP, only that all options are on the table," Mike Nowatzki, spokesman for Republican Gov. Doug Burgum, said.

State Budget Director Pam Sharp told The Associated Press that nothing in state law would prevent North Dakota from accepting such a donation, and that it's happened before, though not in such a sizable amount. For example, smaller private donations have been made to the state-operated North Dakota Veterans Home, she said.

Both Nowatzki and ETP spokeswoman Vicki Granado said they weren't aware of any discussions between state officials and ETP. But, Nowatzki said, "the governor's office has been in discussions with both the U.S. Army Corps of Engineers and White House officials to emphasize the state's position that federal reimbursement is warranted."

U.S. Sen. John Hoeven, a Republican from North Dakota, said his office also is working to get the Corps to reimburse protest-related state costs.

State Attorney General Wayne Stenehjem has publicly broached the idea of suing the federal government. He didn't respond to requests for comment.

The state Emergency Commission late last year approved borrowing $17 million to cover the costs, and the first bill Burgum signed as governor after taking office in January authorized an additional $8 million. But the cost has surpassed the approved total by $13 million, and officials plan to ask the Legislature for more money, state Emergency Services spokeswoman Cecily Fong said.

"I would be very surprised if the Legislature does not cover the full cost," said Republican state Rep. Jeff Delzer, chairman of the House Appropriations Committee.

Nowatzki said Burgum's chief concern "is ensuring that North Dakota taxpayers alone don't foot the bill."

Accepting money from ETP would be a risky way of doing that, according to Paul S. Ryan, vice president of litigation and public policy for Common Cause.

"One would reasonably question whether the state could in an unbiased way regulate ETP if it is receiving tens of millions of dollars in cold hard cash from ETP," he said.

___

From: Dombrowski, Justin
Sent: 22 Feb 2017 11:48:59 -0500
To: Dragani, Nancy
Subject: DAPL youtube link?

Good morning Nancy, could this be the youtube video you were referencing? It's dated 2/16/17 at 1:45p, 24:31 minutes long, sourced from the Valley Forge Network and titled: Standing Rock – Eviction Notice served @ Sacred Stone Camp - https://www.youtube.com/watch?v=vESxOirI0fo

tried a quick youtube search for last Thursday and this came up, most others are at least 2 weeks old if not older.

From: Welch, Randy
Sent: 23 Feb 2017 14:31:26 -0500
To: R8 All Hands
Cc: (b)(6) (b)(6)@state.co.us (b)(6)@mail.mil; (b)(6)@mail.mil (b)(6)@nd.gov; (b)(6)@state.sd.us (b)(6)@state.sd.us; (b)(6)@utah.gov (b)(6)@wyo.gov; (b)(6)@acf.hhs.gov (b)(6)@usace.army.mil; (b)(6)@usace.army.mil; (b)(6)@state.mn.us;mark.peterson2@dhs.gov (b)(6)@hhs.gov; (b)(6)@hhs.gov; (b)(6)@hhs.gov; (b)(6)@sba.gov; (b)(6)@sba.gov;Nelson, Jason (b)(6)@fs.fed.us;Alexander, Daniel; (b)(6)@atf.gov; (b)(6)@aveshka.com
Subject: FEMA Region VIII clips for Thursday, 2-23-17
Attachments: R8 Clips 02-23-17.docx

Region VIII Clips

Thursday, Feb 23, 2017

ANALYSIS

- *Colorado*: A lengthy letter to the editor argues against a new hydrology study in Estes Park… A business development group in Sterling says it has new SBA "grants" to help businesses affected by the 2013 floods. … Dry, warm weather has led to fire bans across the Denver metro area.
- *Montana*: No FEMA-related stories
- *North Dakota*: Two stories report on the mostly voluntary evacuation at the camp of protestors against an oil pipeline being built… AP reports on a meeting today with Senators Hoeven and Heitkamp at Drayton with various officials to discuss flood preparedness … A press releases announces a public meeting, also accessible via video and telephone, on emergency preparedness.
- *South Dakota*: The Pretty Flower Fire has been contained and evacuation orders lifted.
- *Utah*: Three stories report on the extensive flooding in Box Elder County, including a prediction by Lieutenant Governor Spencer Cox that the state would request federal help and that the damage there and in Cache County would meet "thresholds" for that help. (Box Elder County is north and west of Great Salt Lake; Cache County is east of there and of I-15, around Logan)…. Congressman Jason Chaffetz of Utah is demanding records from FEMA on the mobile housing units in Louisiana after an elderly man was found dead in an overheated unit there.
- *Wyoming*: The *Powell Tribune* reports on the flooding along the Big Horn and Greybull rivers… The USDA proposes a program to help identify areas that might be at risk from flooding… A Cheyenne task force to fight blight is considering a FEMA grant that provides money for remediation.
- *Other FEMA-related stories*: The *Washington Post* reports on a loss of forest canopy in the U.S., particularly in rural areas and in the West… An Arizona congressman writes in an opinion piece that climate change and aging infrastructure combine to cause increasing problems, including "climate refugees" within the U.S.

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COLORADO:

Letter To Town Board And Citizens Of Estes Park Re: New Hydrology Study (Estes Park News)

New Small Business Administration grants offered to help businesses impacted by flood (Sterling Journal Advocate)

More Communities Put Fire Bans in Place on Colorado's Front Range (CBS Ch. 4, Denver)

MONTANA:

No FEMA-related stories

NORTH DAKOTA

Two minors injured at DAPL protest after ordered evacuation (WDAZ TV)

North Dakota Arrests 10 as Pipeline Protest Camp Empties (NY Times)

Hoeven, Heitkamp to discuss flood prep in NE North Dakota (AP)

Public Hearing on Emergency Preparedness Activities (North Dakota Ag Connection)

SOUTH DAKOTA:

Wildfire Contained, Evacuation Orders Lifted In Western SD (AP)

UTAH:

Utah to ask for help from feds over northern Utah flooding (KUTV)

Utah National Guard deployed as 90% of Box Elder County communities affected by flooding (Fox 13)

'Difficult times:' National Guard, neighbors step in to help following Box Elder County flooding (Deseret News)

Utah congressman demands FEMA's Louisiana flood records, says man died in overheated trailer (Baton Rouge Advocate)

WYOMING:

Flooding in Big Horn County (Powell Tribune)

USDA proposes future flood relief program (Northern Wyoming Daily News)

"Fight The Blight" Task Force Considers Ways To Tackle Properties (Wyoming Tribune Eagle, Cheyenne)

FEMA-RELATED STORIES

You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

Americans Once Moved Away From Forests. Now Forests Are Moving Away From Americans. (Washington Post)

Climate Change Tied To Nation's Infrastructure Needs (The Hill)

STORIES

COLORADO:

Letter To Town Board And Citizens Of Estes Park Re: New Hydrology Study (Estes Park News)

- Feb 22, 2017

HISTORY:

In the 1970's when the federal government started getting increased demands for disaster relief it was decided that some sort of regulation was needed to try to prevent losses and that some sort of mandatory federal insurance was needed offset the losses. FEMA was formed. Although FEMA provides recovery funds for all sorts of disasters flooding was the most common and the most predictable. It is the easiest to keep people away from (it's hard to tell people they can't build in "Tornado Alley" when you can't define it). It was decided that the reasonable level to regulate to would be the 100 year flood. That is the level of water that has a 1% chance of happening in any given year. It is only a statistical number. It could happen or be exceeded in any given year or several times in 100 years or not happen in 500 years. Laws and regulations and insurance rates were passed. Rules were established to determine

what amount of water would be the statistical 100 year event on any given waterway using historic measured data or by estimating data by hydrologic studies. The rules state that where measured flow data exists for more than 10 years that it should be the basis. This makes sense since the result is a statistic and measured data is always more accurate than estimated data. We are fortunate in that the stream gage at the Visitor Center has a daily record for 69 years. Fall River has 29 years of intermittent records dating back to 1945.

Hydrology is the study of water runoff. Contrary to the opening statement of the new study, it is not a new science. It has been around for many decades and has been the basis for design for everything from street culverts to the world's largest dams with millions of lives at risk. Its fundamentals are universal. To say that the hydrology of the 1977 study or subsequent studies is no longer relevant is wrong. There is no evidence of them being in error or inadequate. There is another 40 years of records which further substantiates prior records. All of the previous studies and reports have led up to the most recent study and regulation which was approved by FEMA, the State of Colorado and the Town in March of 2013. This study does not differ significantly from anything done in prior 40 years. One has to ask how one event that statistically could happen in any given year could cause results that are multiples higher in the new study than anything before. The answer is that it shouldn't. What did happen is the State of Colorado got much criticism after the 2013 flood for not being better prepared or getting warnings out sooner. The result was to pass legislation providing grants for local governments to redo their regulations to provide "more protection" i. e. make larger regulated flood plains. This results in more insurance revenue for FEMA with reduced risk. It also makes properties that were not previously in a flood plain almost totally restricted, virtually prohibiting replacement and redevelopment and establishes mandatory insurance that costs thousands of dollars. The whole goal of a flood regulation is to get buildings out of the floodway. This will have a devastating effect on the westerly portion of the central business district and to the town economy. It also is a major injustice to those owners who have built or purchased improvements that at the time were legally outside the floodway. Now, because of a major change in interpretation, their property is reduced to a fraction of its value. Not only will these properties not be able to expand to compete, if they are damaged by any cause to 50% of their value they will not be able to be replaced leaving ground that is virtually worthless. Beyond that they immediately will be hit with mandatory flood insurance that costs much more than normal hazard insurance and only covers floods (that in the expanded areas have only occurred once, in 2013, in recorded history). This added cost will have to be passed on with higher prices on goods sold leaving the whole area at a competitive disadvantage. I cannot imagine a merchant renewing a lease under these conditions.

THE NEW HYDROLOGY STUDY:

The proposed hydrology study when first submitted after extensive peer review by "esteemed" professionals had a 2013 flow in Fall River of 3800 cfs which was used in developing flow models and resulted in a 100 year flow of 3580 cfs. This was based on a single flow estimate using a new method called the "critical depth method" instead of the traditional "Manning's Equation" which is a more involved method. It was pointed out in a prior review that even when properly applied the "critical depth method" will always yield high results due to disregard for debris, sediment, turbulence and not having a level water surface. It may be faster and easier but it is not accurate. After it was shown to the consultants that 3800 cfs could not of occurred, they had the person who developed the "critical depth method" go back and check the Fall River Lane Bridge that did not over top. He then came up with the number of 2000 cfs which is the maximum that can be put through the bridge, filling it all the way to the bottom chord. This could not happen without creating a back water and did not happen as verified by eye witnesses. The request to adjust this number was denied and it is reflected in the final version of the study. Even this amount of correction brought the 100 year event down to 1860 cfs. Which is a reduction of almost ½ from what would have been adopted had the study not been objected to. This one correction over time amounts to millions of dollars that would have been lost by local citizens.

The Army Corps of Engineers has developed a computer program called HEC – SSP for calculating statistical flow quantity frequencies from stream data that is the required method to be used for flood studies. FEMA has published guidelines for how data is to be treated. Bulletin 17B specifically describes the method by which events that are so far different from the regular range of events are determined to be "outliers". These outliers are treated in a historical context rather than a systematic event. This has the effect of buffering and significantly lowers the 100 year event. The length of the historical context is dependent on how long a period has expired since a similar event. The longer the period the more the buffering. There is no doubt that the 2013 event on Fall River is an outlier as the calculation was preformed both by the consultant (Appendix B, p. 99/333) and by Van Horn Engineering in its review (Appendix H, p. 266/333). In its response to the VHE review (p. 266/333) the consultant refuses to consider 2013 a historic event even though it is an outlier stating there is no prior historic evidence (p. 266/333). This is categorically untrue as the flow of Fall River is included with the Big Thompson and Black Canyon at the Visitor Center gauge which has 69 years of record and is a short distance downstream. The combined flow of all three has never approached the Fall River outlier providing historic proof positive. The instructions specifically say for the preparer to investigate all available history and adjacent data. Modern occupation and written accounts date back to the 1870's and no similar event has ever been recorded nor is there any physical evidence which would still be evident had it

occurred. If the 100 year event were correctly calculated (VHE review p. 263 – 271/333) it would come much closer to previously approved studies.

CONCLUSIONS:

The effects of adopting the study as presented are uncalculatable. By increasing the 100 year event by multiples many properties that have not been in the flood plain since its inception 40 years ago will now be severely restricted and heavily taxed by flood insurance. The values of these properties will be a fraction of what they are now. This represents a taking for a public purpose without compensation (like condemning land for a road) and the Town needs to be very careful and sure before they take such an action. It is hard to imagine a very high confidence level in a study which has already been shown to have very large errors in its estimates. In most instances of the government changing regulations there is a provision of "grandfathering" those people who legally relied on previous rules. This is not the case here and the total loss will be borne by the impacted individuals who have to depend on their elected officials to protect their interests.

There are two things the Town Board can do. One is to send the study back to the consultants and tell them to not to use impossible estimates for Fall River and to follow the rules and treat the 2013 flood as the historic event that it was. The other is to not adopt the study at all and use the perfectly valid and approved 2013 study which is the legal regulation now. The flood maps are going to have to be redrawn no matter which hydrology is used because of channel changes. This will establish the new flood regulation.

Bill Van Horn, PE 9485

New Small Business Administration grants offered to help businesses impacted by flood (Sterling Journal Advocate)

Jones gives yearly report on Small Business Development Center activities

By Callie Jones

Journal-Advocate news editor

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Eastern Colorado Small Business Development Center is again seeking to help businesses impacted by the 2013 South Platte River flood. Laurie Jones, SBDC's Logan County business consultant, spoke to the commissioners Tuesday about the second round of a flood/disaster recovery grant program.

After the flood first hit, Jones had over 100 businesses contact her and at that time the Small Business Administration (SBA) came to Sterling and established an office with FEMA (Federal Emergency Management Agency), to help business owners and residents impacted by the flood apply for an SBA loan. Eligible applicants could get up to $50,000.

"The challenge we had is the requirement is they had to go through the SBA loan process in order to qualify. That was a very lengthy and it was a very frustrating process, and it was a direct to the SBA, as opposed to going through a bank," Jones said.

Because of that, in Logan and many other counties, there weren't many people that received funds. Though Jones did say she had some clients get a $50,000 grant and more often they received $5,000-$10,000 grants.

The state has now changed the program and Jones is able to go back and reach out to those 100 clients, "and of those I think I've got a pretty good shot, if they're willing to go through the process, of getting them some grant funding," she said.

She noted this time the application is much simpler, but applicants must prove that due to the flood they lost at least $5,000 in revenues and it can't just be during the days the city was shut down during the flood. They have to show financially that into 2014 they had less revenue than, say, in 2013, 2012, etc.

"So, we have a process, it's much more streamlined and I believe based on the people I've already met with I can get a lot of money out into the hands of them," Jones said.

She pointed out that child care providers were a real challenge in the first round of grants and she's still not sure they'll be able to meet that $5,000 loss, "but I'm going to go back out and try to reach through that group again," Jones said.

There is an emphasis to try to get this outreach done over the next couple months, because as things change there is no guarantee SBA will continue to have that grant funding available.

Jones noted the new program also includes fires, so she is trained in if there is any kind of major disaster here, "we now have a process that we can step into to help our business community with some funds," she said.

Additionally, Jones gave a yearly report on SBDC. Over the last five years, she's met with about 210 business owners in Logan County and there are around 600 to 650 businesses total....

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More Communities Put Fire Bans in Place on Colorado's Front Range (CBS Ch. 4, Denver)

February 22, 2017 12:03 PM

Filed Under: Fire Bans, Wildfires

DENVER (CBS4) – For a stretch of 37 days there has been no measurable precipitation across the Denver metro area.

With that dry weather and persistent unseasonably warm weather fire danger has shot up, and several county and city managers have enacted fire restrictions in the past few days.

The following is a list of all the areas with fire restrictions:

– Jefferson County (unincorporated areas), plus Lakewood and Golden – Stage 1 fire restrictions (see below)

– Arapahoe County – ban on all open fires and open burning

– Adams County (unincorporated areas) – Level 2 Burn Restriction

– Douglas County, plus Castle Rock

– Boulder County, plus Lafayette

– Teller County

– Elbert County

– Lincoln County

– Las Animas County

Check the website coemergency.com for the latest updates on fire bans in Colorado.

Officials in Golden described the Stage 1 restrictions as follows:

All open burning, including bonfires; open flame torches and welding in wildfire risk areas and model rockets are prohibited. Also banned is the use of recreational fires within 30 feet of undeveloped areas including green belts and open space lands. Smoking within six feet of any outdoor area not cleared of combustible vegetation is also prohibited.

Exceptions to these temporary restrictions include: supervised public fireworks displays by a state licensed operator (subject to specific GFD operational permit requirements); outdoor cooking fires contained within commercial gas fueled grills, enclosed wood or wood pellet grills or smokers; enclosed outdoor fireplaces or chimineas; powered yard equipment for landscape purposes; any federal, state or local law enforcement officer or member of an organized rescue or firefighting force in the performance of an official duty.

Wildfire Resources

– Visit CBSDenver.com's Living With Wildfire section.

MONTANA:

No FEMA-related stories

NORTH DAKOTA:

Two minors injured at DAPL protest after ordered evacuation (WDAZ8)

CANNON BALL, N.D. — A few dozen protesters remain camped out Wednesday night, despite the day's 2 p.m. evacuation deadline.

After taking a break Wednesday, come 9 a.m. Thursday, crews are moving in, saying the region is on the brink of an environmental disaster.

The 2 p.m. deadline has passed and up to 50 protesters remain. The state is giving them until 9 a.m. Thursday to get out.

"They will have every opportunity to leave the camp tomorrow without arrest," Gov. Doug Burgum said at a press conference Wednesday evening at the Morton County Courthouse..

Ten protesters did turn themselves in Wednesday outside the camp.

"You had to try and be arrested today," said Burgum.

For the most part, the arrests took place without incident.

"We are following up on a hip injury involving someone who was arrested," said Morton County Sheriff Kyle Kirchmeier.

Prior to the evacuation, there was one last march against the Dakota Access Pipeline.

More than a hundred protesters left Cannon Ball to avoid arrest.

The governor says about 70 people have taken advantage of a state-funded program supplying them with hotel rooms and bus tickets.

While Burgum could not provide a cost to taxpayers at this time, he calls the program his decision.

"We are saving taxpayer dollars anytime we can buy a bus ticket and hotel room versus trying to put them through the legal system," Burgum said.

There was a near tragedy Wednesday as protesters intentionally set nearly two dozen buildings inside the camp on fire.

In one of the blazes, a 7-year-old boy was hurt along with a 17-year-old girl following either an explosion or flames that got out of control.

'There was a 17-year-old woman who was severely burned and she's been airlifted to Minneapolis," Burgum said.

After not being allowed in the camp Wednesday, contractors hired by the Army Corps of Engineers plan to return first thing in the morning.

It's a race against time and the cleanup could take more than three weeks due to the amount of debris left behind, the cost to taxpayers, likely over $1 million.

"To ensure none of this garbage, none of this waste, debris and structures and vehicles end up in the reservoir. That would be an environmental catastrophe," said Col. John Henderson of the Army Corps of Engineers.

Due to the amount of junk still left behind and not knowing what is buried beneath feet of mud, the contractors actually underwent hazmat training for their safety.

The company building the pipeline says they could have oil flowing as soon as March 6.

North Dakota Arrest 10 as Pipeline Protest Camp Empties (NY Times)

CANNON BALL, N.D. — The fires burned for hours on the flat, muddy landscape, their thick smoke rising through snowflakes that tumbled to the ground. Someone rode a snowmobile across the dirt, and others moved their belongings to the side of a rural highway. The police gathered, prepared to follow the governor's order to clear people from this rural part of the state.

But the Wednesday afternoon deadline for protesters of the Dakota Access oil pipeline to empty their largest encampment passed with far more uncertainty than unrest. In the hours after the deadline, the authorities made 10 arrests but said they would not fully empty the camp on Wednesday night.

Roughly 25 to 50 demonstrators were believed to remain in the mandatory evacuation zone, said Gov. Doug Burgum, who said cleaning crews planned to enter the camp Thursday morning. "Anyone who obstructs our ability to do cleanup will be subject to arrest," Mr. Burgum said.

The scene here, about an hour's drive south of Bismarck, the state capital, seemed to represent a muffled end to a specific and passionate protest that drew thousands of demonstrators and became central to the national debate about energy, the environment and the rights of Native Americans. Protesters argued that the nearly completed pipeline, now moving ahead with the support of President Trump's administration, could imperil the drinking water supply on the Standing Rock Sioux Reservation.

"We won," said Vanessa Red Bull, 54, who has spent months here. "We slowed that pipeline down months and months and months. We cost them who knows how much money. And we slowed them down."

She added, "This has been a multilayered event that has brought attention to glaring issues."

Ms. Red Bull and her allies won a brief victory last year, when the Army Corps of Engineers said in the waning days of the Obama administration that it would conduct an environmental impact study before allowing the 1,172-mile pipeline to cross Lake Oahe, the Missouri River reservoir near the encampment. But the beginning of the Trump administration brought a swift and substantial defeat: an instruction that the Army abort its study, a decision that allowed construction to resume.

Barring court intervention, oil from the Bakken fields in western North Dakota could flow through the pipeline this spring. But on Wednesday, the matter at hand was what to do with the encampment, which had become an abiding and, for some, spiritual symbol of activism. State officials cited fears of flooding for the governor's decision last week to order a mandatory evacuation of the site.

"It's time for protesters to either go home, or move to a legal site where they can peaceably continue their activities without risk of further harm to the environment," the North Dakota attorney general, Wayne Stenehjem, said in a statement. Officials said that trash at the protest camps would pose an ecological risk if it were washed downstream by flooding, and that urgent cleanup was necessary.

Both sides have accused the other of escalating tension and engaging in violence since the protest started last year as a decidedly local affair. The camps ultimately swelled to thousands in the summer and fall, with Native Americans and supporters from across the country gathering in spirited opposition and setting up a makeshift society in the camps, complete with cooking tents and supply areas.

But on Wednesday, months of tension mostly gave way to a somber calm as demonstrators left and a cold rain turned to snow. Some protesters set fire to semipermanent structures before the 2 p.m. deadline.
“It’s an act of defiance,” Nick Cowan, 25, said as he watched a fire burn on Wednesday after living here for more than two months. “It’s saying: ‘If you are going to make us leave our home, you cannot take our space. We’ll burn it to the ground and let the earth take it back before you take it from us.’”
Two youths were injured at the camp Wednesday, apparently from the fires, officials said, including a teenage girl who was hospitalized with severe burns.
North Dakota officials offered meals, lodging, a medical exam and a bus ticket to anywhere in the 48 contiguous states for protesters who left by Wednesday afternoon but needed help getting home.
That approach was at odds with events of recent months, when the demonstrators sporadically clashed with the police, leading to the activation of the North Dakota National Guard and hundreds of arrests. The police sometimes used tear gas and rubber bullets. The North Dakota Guard said on Wednesday that it had spent more than $8 million responding to the protest since August.
Despite the lingering frustrations, tensions seemed to have eased in recent weeks as the ranks of demonstrators declined during the harsh winter. Dave Archambault II, the chairman of the Standing Rock Sioux Tribe, which has sued seeking to block the pipeline construction, urged protesters to go home.
On Wednesday, many of them did.
“I think people are saying goodbye,” said Ms. Red Bull, who spent about six months here. “I think that’s why people are setting things on fire: as a way of a last homage to what had become many people’s homes. A community was here.”"

Hoeven, Heitkamp to discuss flood prep in NE North Dakota (Associated Press)

DRAYTON, N.D.
North Dakota's two U.S. senators will be in Drayton on Thursday to discuss flood preparation in northeastern North Dakota this spring.
Sens. John Hoeven and Heidi Heitkamp will meet with federal, state and local officials in the afternoon. The meeting is aimed at making sure communities are prepared for possible flooding.
After the flood outlook meeting, Hoeven and Heitkamp will tour Drayton's earthen levee.
The recent flood outlook from the National Weather Service shows an increased risk for moderate to major flooding in the northern Red River Valley. The outlook also projects near-record runoff for the Devils Lake Basin.

Public Hearing on Emergency Preparedness Activities (ND Ag Connection web site)

The North Dakota Department of Health has scheduled a public meeting designed to educate the general public about emergency preparedness activities and provide an opportunity for public comment. The meeting will be held March 2 at 1 p.m. CST at 1720 Burlington Drive in Bismarck. Participants may also join via teleconference by dialing 1-855-361-4591. In addition, the public also can participate through video conference at participating local public health units

throughout the state where video conference is available, or the meeting can be accessed online via live webcast.

"Extensive use of the public health and medical response systems have been successfully implemented in the last several years in response to civil disturbances, equipment malfunctions at medical facilities, medical facilities evacuations, fires, flooding, tornadoes and other weather emergencies," said Tim Wiedrich, section chief of the Emergency Preparedness and Response Section of the North Dakota Department of Health. "This meeting will give people a chance to learn about the work that has been done and give us feedback."

The meeting will start with a presentation highlighting the planning that has been done and will conclude with time for comments. To participate, contact your local public health unit or call the toll-free phone number. To access the webcast online, follow these instructions:

Step 1. Before the webcast, please check that your computer can play Windows Media streams. Mac users may download Windows MediaComponents for Quicktime from www.microsoft.com.

Step 2. Type the following link into your browser: http://www.ndhealth.gov/WebcastHigh.asx.

The feed typically starts within 15 minutes before the scheduled time. The webcast is for viewing only. If you wish to ask a question, please call the teleconference line.

Please note that there is a delay between the webcast and teleconference feeds by several seconds. If you are watching the webcast and would like to call in with a question, please use your phone's audio instead of the computer to avoid confusion due to the sound delay.

SOUTH DAKOTA:

Wildfire Contained, Evacuation Orders Lifted In Western SD (AP)

Associated Press, February 22, 2017

HAYWARD, S.D. (AP) — A wildfire that threatened up to 30 homes in western South Dakota has been contained and evacuation orders have been lifted.

Incident Commander Ray Bubb declared the fire 100 percent contained Wednesday morning. Two engines and two crews were left in the area to finish mopping up the fire that started Tuesday and had spread to over 33 acres of mostly private land near Hayward.

Investigators say the fire, dubbed the Pretty Flower Fire, sparked from a burning slash pile and spread because of dry, warm and windy conditions Tuesday morning. By late Tuesday afternoon the fire crews had begun to leave the fire as it was 75 percent contained.

Officials say all remaining work on the fire has been handed over to the South Dakota Wildland Fire Suppression team.

UTAH:

Utah to ask for help from feds over northern Utah flooding (2 KUTV)

BOTHWELL, THATCHER, ELWOOD and NORTH GARLAND: the Box Elder County Emergency manager said those are among the areas with the most dramatic flooding -- which has now stretched for days.

The county reported Wednesday 30,000 bags have been filled with roughly 700 tons of sand for the most immediate response; and a dozen members of the Utah National Guard arrived in

Tremonton, Utah, with a machine to automatically fill the bags at the Box Elder County Fairgrounds.

Lt. Governor Spencer Cox choppered above the flooding on Wednesday, said he was surprised by the amount of standing water on property north of Ogden, and said the state will make a plea to help from the federal government.

Cox thought damage "thresholds" have been met to trigger federal aid. What is unclear is whether that money, if approved, would go solely to cover repairs to public infrastructure, or whether private property owners could get some assistance.

Cox said he is most concerned with the high water now, precipitation which is coming, and property damage.

Box Elder County said it has 13 pumps operating now to divert floodwaters, with six more on the way. The county is also "monitoring three landslide locations."

It is also "dealing with floods in western Box Elder County due a Nevada dam break."

Wednesday night, the Red Cross was scheduled to hold an open house at the Aldersgate United Methodist Church in Brigham City for those affected by the flooding.

Utah National Guard deployed as 90% of Box Elder County communities affected by flooding (Fox 13)

BOX ELDER COUNTY, Utah - Dozens of community volunteers worked for hours Wednesday evening to fill hundreds of sandbags at the Box Elder County Fairgrounds.

They took over after the Utah National Guard spent all day filling bags in an effort to relieve massive flooding in the area.

"Twelve personnel right now, so it's a smaller contingent, but we do have a sand-bagging machine," explained Capt. Lance Curzon during a press conference Wednesday afternoon.

Box Elder County Commission Chair Stan Summers said they've gone through 30,000 sandbags and 700 tons of sand, all to combat the catastrophic flood.

"One of the worst floods that I've seen in my lifetime," he said.

He estimated 90 percent of the communities in the county have been affected. The flood filled basements with water, shut down businesses and closed waterlogged roads, he explained.

"Nowhere to go, all the ditches are full, all the canals are full," Summers said.

Lieutenant Governor Spencer Cox saw it for himself Wednesday afternoon, during a tour in a helicopter and on the ground. While the damage was apparent in a video he filmed from the sky, he reported good news.

"The water has receded significantly, and that has to do with the temperature more than anything," Cox said.

Summers also explained they put out more than a dozen pumps to reroute water, and a half dozen more are on the way.

Many roads reopened, with only a couple still not passable.

But Lt. Gov. Cox expressed that what he witnessed also worried him.

"Problem now is has moved north," he said, of the flooding. "We saw that from the air a little bit earlier. It's significant, impacting a lot of houses."

He said they are assessing Box Elder and Cache Counties for flood damage, and initial estimates place it at more than $4 million.

That would be enough to call for federal emergency assistance, he said.

While the Utah National Guard is helping for now, they're also urging the community to continue step in.

"If you are okay, then go help your neighbors," Summers said, stopping to hold back tears.

He said he's seen so much of that already, and Lt. Gov. Cox agreed, saying it's been inspiring for him to see the outreach in this time of crisis.

'Difficult times:' National Guard, neighbors step in to help following Box Elder County flooding (Deseret News)

ELWOOD, Box Elder County — Following four days of extensive flooding in Box Elder County, Stan Summers couldn't hold back his emotions while describing the plight of one particular resident.

"There was an older gentleman that (approached us) and said, 'I don't have any money, can I get some sandbags?'" Summers, a Box Elder County commissioner, told reporters in Elwood through tears. "I don't know what you tell them besides, 'just get in here, load your sandbags up, where do you need them?'"

Warm weather, rainfall and massive snowmelt have resulted in flooding affecting up to 90 percent of communities in Box Elder County, officials estimate. The Utah National Guard was called to assist large-scale sand-bagging efforts Wednesday.

About 12 soldiers from Camp Williams responded to the Box Elder County Fairgrounds with an automatic sand-bagger, according to the National Guard.

"When it's operating at its peak efficiency, it's very helpful," National Guard Capt. Lance Curzon said. "We're able to fill up sandbags and put them on those pallets very quickly."

The response hasn't gone unnoticed by local officials.

"We appreciate everybody coming and doing these things for us," Summers said. "It's a little overwhelming to say the least in the last four days to watch everybody come together."

The widespread flooding of roads and homes means that opportunities for reaching out are plentiful, Summers said.

"I'd just say, if you're OK, you don't have to look very far to go help your neighbor," he said.

About 30,000 sandbags have been filled with 700 tons of sand and distributed to 25 locations throughout the county, Summers said. Thirteen heavy-duty pumps are in place to protect homes, businesses, fields and roadways, with six more on the way.

Salt Lake County also pitched in after an official made a call to the county mayor.

"They don't have time to go out and fill (sandbags) because they're out on the streets really protecting their community," Salt Lake County Mayor Ben McAdams said. "So I said, 'let me see what I can do we'll get some people together and get some sandbags up to you ASAP.'"

Volunteers filled between 3,000 to 4,000 sandbags Wednesday morning in Midvale; they were shipped to Tremonton in five large trucks early Wednesday evening.

"I know they'd do the same for us if we were in crisis. They'd help out," McAdams said.

The American Red Cross teamed up with state and local agencies at the Aldersgate United Methodist Church, 850 S. 200 East in Brigham City, to create a one-stop help center for flood victims.

For people like Corinne resident Rick Miller, whose family has a flooded basement and a ruined furnace, finding that help Wednesday was essential. He visited the church in hopes of finding help keeping his home warm.

"We've been living off of our wood-burning stove. ... I don't know if there's a way they can help us with our furnace — if there there's a way they can (help us find) fire wood that's dry," he said.

Summers said Box Elder County residents were mindful of the help coming in from throughout the state.

"We know that we have friends on every side," he said. "It's funny how events like this kind of erase borders between counties and states."

Curzon said he was grateful the National Guard got the call to assist.
"For us -- we have to see people in these difficult times, so we're more than happy to be up here and do everything we can. ... This is why we do it," Curzon said. "This is why all of us volunteered to serve in the military. You know, sometimes we've been called to go overseas, but it's nice to be here in the same communities that we live in."
Lt. Gov. Spencer Cox, who flew to Box Elder County to survey the damage Wednesday, praised those who had devoted "tens of thousands of man-hours" to protect homes and businesses.
"I (knew I was) going to see some terrible things and talk to some people who are having a really, really bad day," Cox said. "But I (knew I would) leave inspired because (of) ... stories about communities coming together, neighbors coming together, people coming together, churches coming together and helping each other out."
Brigham City resident Kerri Petersen drove to Tremonton with her sons to assist flood victims, most of whom she didn't know.
"(It) feels good," Peterson said. "Glad to get my boys helping, too."
Petersen can empathize with the stress of having her home threatened. The crawlspace of her own home flooded last week, she said.
Summers said there has been intermittent flooding in Box Elder County since January, mostly in its western portion.
"It really became a problem when the snowpack started to melt," he said.
Some roadways and canals have been breached in recent days, Summers said, making the situation all the more dire.
Mark Millett, emergency manager for Box Elder County, said the large snowpack, combined with warm, wet storms, is responsible for the flooding.
"As it's melted, the snow has just continued to concentrate the moisture (in place) and in many cases, not really run off too much," he said.
Most Box Elder County and other northern Utah residents can expect falling temperatures and snowfall for a large portion of Thursday, according to a forecast from KSL-TV meteorologist Kevin Eubank.
Temperatures are expected to cool significantly, dropping into the high 20s or low 30s through Saturday.
That forecast is good news to Box Elder officials.
"If we can move into just kind of a cooler warming period to allow us to come off in that more incremental measure, we're fine," Millett said.

Utah congressman demands FEMA's Louisiana flood records, says man died in overheated trailer (The Advocate)

BATON ROUGE – A Utah congressman is demanding the Federal Emergency Management Agency turn over documents on mobile housing units related to the August flood after an elderly man was found dead in an overheated trailer.
"When local authorities inspected the MHU, they discovered temperatures over 137.0 degrees Fahrenheit with the air conditioning and heating control unit reading 50 degrees Fahrenheit," states the letter by Jason Chaffetz (R-Utah), chairman of the House Committee on Oversight and Government Reform.
The letter does not provide specific identifying information on the deceased man or where he was found. FEMA has told committee members that there have been no deaths due to faulty MHUs, Chaffetz's office wrote.

The congressman also raised concerns about the length of time it took to deliver mobile homes to flood survivors and the efficacy of the Shelter at Home program.

WYOMING:

Flooding in Big Horn County (Powell Tribune)

Fifteen minutes. That's all the time Ernie and Teresa Marsh had Tuesday to get themselves and their vehicles out of the path of a flood that no one expected to ever happen near their Big Horn County home.

"It might be one of those 100-year deals," Ernie Marsh said Wednesday. "No one remembers a flood like this right here," off Spence Oil Road between Greybull and Lovell. "Even the county sheriff doesn't remember (a flood) here."

Ice jams in the Big Horn River have caused repeated flooding before in other areas — Worland, Manderson and Greybull, for example. But the Marshes' property sits near a straight section of the river.

"It's kind of odd that (ice) would pile up here," Marsh said.

But pile up it did, and once that happened, the Marshes went into action to get into their vehicles and move them to higher ground, out of the way of the fast-approaching floodwater.

Unfortunately, there wasn't time to salvage much from their mobile home or from the shop where Ernie Marsh does silversmithing.

Later, they moved their horses to higher ground.

"The horses weren't wanting to leave on their own yesterday, so we had to wade out there to move them," Marsh said.

Larry and Dianne Ostermiller of Powell own a cabin on neighboring property.

Larry Ostermiller got a call from the local rural electric association Tuesday telling him that workers were going to shut off power to the cabin, because it had flooded.

"We were just flabbergasted," Dianne Ostermiller said. "We felt like there was no danger."

A 4-foot dike ran around their property, and the Federal Emergency Management Agency didn't have the property listed on a flood plain, Larry Ostermiller said.

When the ice jammed, "the dike held everything out except for in one spot, where a bunch of mice had holes burrowed in the dike," he said. "Cats were digging them out over time, and the water found a weak spot and washed it right out."

Larry Ostermiller got a call Tuesday evening from Marsh, who asked if he knew anyone who had a boat he could use to get things out of his mobile home, as he wasn't sure it would still be standing Wednesday morning.

Ostermiller borrowed a flat-bottomed rowboat from a friend and drove it down to the Marshes' property. They used the boat to make several trips, shuttling valuables and irreplaceable family belongings from the home — family photos, marriage certificates, etc. — to higher ground.

Marsh resumed those efforts the next morning, when he saw the mobile home was still standing.

"The house is still there, and my shop building where I work on stuff," he said.

The rowboat came in "real handy," Marsh said, adding with some astonishment, "I'm not often wading in a rowboat in the middle of a desert."

He said the floodwater contains a lot of unidentifiable debris of different colors, probably from previous flooding upriver.

"There's a lot of people in Worland that had this happen earlier," he said.

Another neighbor couple is spending the winter in Arizona, so Marsh said he checked out their property and gave them a report. That house stands a little higher, so it's barely out of the water, but other buildings on the property were flooded. Ostermiller said the couple had a brand new Jeep Cherokee parked in one of their shops.

Now, it's pretty much a waiting game.

"We're not sure if this is going to go up or down," Marsh said early Wednesday afternoon. "It seems like it's fluctuated a little bit; the water was down about 6 inches, but now it looks like it's kind of on the rise again."

"All I can do is just wait and see what happens and clean up the mess later," he said. "This is my first flood, so I'm kind of a newbie."

Neither the Ostermillers nor the Marshes had flood insurance. Until Tuesday, it didn't seem necessary.

"Ours is not a great situation," Dianne Ostermiller said. "We're going to lose a lot financially."

The Marshes, meanwhile, have lost their home and their business.

Still, Marsh said it could have been much worse.

"We've got all our horses, our family's good, the dogs and cats are OK, so we're feeling pretty blessed about that," he said.

Marsh said he and his wife are staying with their son in Byron.

"We're feeling pretty lucky," he said. "It happened in the daylight when we could see it coming and we were able to get out of the way."

Authorities watch river

Four different ice jams caused trouble along the Big Horn River on Tuesday, with reports of some properties flooding in Manderson, Basin and the rural areas between Greybull and Lovell.

"The ice jams are moving along the river in Big Horn County, causing old ice jams to break and move and forming new ice jams as it goes," Big Horn County Emergency Management Coordinator LaRae Dobbs said in a Tuesday Facebook post.

Dobbs said the ice jam between Greybull and Lovell was particularly large.

"Our pre-flood efforts are in place, and the river is being monitored on a continuum. This is the hard part, where we watch and wait," she wrote, adding, "If you live along the Big Horn/Greybull river, please take precautions. Move your animals away from the river, and make preparations for your family to evacuate if you are flooded."

Runoff water reached high levels over the weekend in Manderson at the confluence of the Nowood and Big Horn rivers. Ice from the Nowood River jammed just above Manderson, before it flows into the Big Horn.

"The jam pushed out Monday, and water levels are dropping," Pete Hallsten, district engineer for the Wyoming Department of Transportation, said Wednesday. "The town never got wet, but the water came up into the U.S. 16/20 highway right-of-way. The water was still 2 to 3 feet below the roadway."

The ice jam, which flooded parts of the Worland area last week, remained a couple miles above Manderson on Tuesday.

WYDOT said its maintenance crews continue to provide support in flood mitigation efforts near Worland, Manderson and Greybull.

Those efforts include transporting and placing concrete barriers, providing sand for sandbagging operations, transporting and placing filled sandbags, closing roads when necessary for safety, inspecting bridges and advising officials on flood control efforts.

If the jam hadn't reached Manderson Wednesday or Thursday, "it may be a while, as the weather is forecast to cool down through the rest of the week," Hallsten said. "A good snowstorm is being forecast, with dropping temperatures."
Big Horn River flows through Worland, Manderson and Greybull were high but within the river channel Wednesday.
"Frost is leaving the ground, so runoff water is being absorbed into the ground," Hallsten said. "So even as the melting picks up, the runoff is subsiding. Most of the low-lying snow is melted throughout the Big Horn Basin."
He said WYDOT's main concern remains how the ice might impact area towns and river crossings associated with bridges.
"From what it currently looks like, we are in a waiting game to see what happens," said WYDOT District Maintenance Engineer Lyle Lamb of Basin. "We will continue to support communities along the Big Horn River."
Wyoming National Guard troops were demobilized from the area on Saturday.

USDA proposes future flood relief program (Northern Wyoming Daily News)

WORLAND – The Washakie County Commission heard from a representative from the United States Department of Agriculture on Tuesday, introducing the opportunity to sponsor a flood relief program that could benefit county projects in the future.
Introduced by county Emergency Watershed Manager Laura Galloway of Ten Sleep, primary soil scientist James Bauchert with the USDA explained to commissioners the parameters of the Emergency Watershed Flood Funding program, and the role it could have in the local area.
While the program would not benefit the most recent flooding in Worland, it could help identify potential risk to wildlife and physical structures including private property and bridges.
While the USDA program would work mainly with primary sponsor, the Washakie County Conservation District, the agency would need the commission to co-sponsor, to fulfill a requirement demanding that at least one sponsor have authority of eminent domain and taxation.
"Anytime the phrase 'eminent domain' is used, I get a bit nervous," noted Commissioner Fred Frandson. "I don't like those two words."
Bauchert assured the commission that all authority to invoke eminent domain in the case of an emergency situation remained the power of the commission, and that the USDA had no jurisdiction other than requiring a sponsoring body have the authority.
The commission agreed to review the program with the county attorney, and come to a resolution before the next commission meeting in March.
In other business, Public Health Nursing Manager Amanda Heinemeyer requested a budget hearing, to attain an additional $10,000 for the county vaccination program. The council agreed to review the matter and schedule it for the next regular meeting in March.

"Fight The Blight" Task Force Considers Ways To Tackle Properties (Wyoming Tribune Eagle, Cheyenne)

By James Chilton
Wyoming Tribune Eagle, February 22, 2017
CHEYENNE – Mayor Marian Orr's all-volunteer "Fight the Blight" advisory task force began to discuss the work ahead of it Tuesday, including working out a definition of the blight it's aiming to eliminate.

Task force members discussed the need to properly define the concept of blight to understand what sorts of ordinances it may ultimately recommend to the City Council down the road. To begin, Orr shared her own ideas for what she'd like to see the task force combat.

"My vision is to look more at things that are dangerous. If someone decides to decorate their house with yard gnomes, that's up to them," Orr said. "I think it's attractive nuisances – buildings and properties left vacant ... walking the dog in my neighborhood this weekend, there are abandoned homes being broken into, and it's problematic."

As an example, Orr pointed to a house on Bent Avenue that was only recently declared to be unfit for human habitation by the city's building safety department. Such properties, she said, if left unsecured, could attract both children unaware of the danger and vagrants or criminals.

"That homeowner has 30 days to respond (to the building department's concerns), but where do we go from there?" Orr asked. "It's an out-of-town owner."

Task force chairwoman Julie Gliem tasked member and local attorney Larry Wolfe with researching other municipalities' definitions of residential and commercial blight, with the aim of returning to the task force's March 7 meeting with some workable language members might adopt going forward.

Fellow task force members Dominic Valdez and Steve Borin noted they'd already done some looking into the definitions of blight and found they vary widely depending on the community. Valdez said about the only common theme he saw was that urban blight often went hand in hand with the term "nuisance," though Orr noted even that term can be subject to different interpretations.

"There are at least two different levels (of nuisances), if not three: you have tall weeds and an elderly person who just can't keep up with the yard, or an empty house with an out-of-town owner where the weeds are tall," Orr said. "But there are also homes that have been uninhabited for years that are literally rotting away, and people know the place is not inhabited."

City code enforcement officer Emmett Lusher said the city already has all the legal tools needed to address the first kind of nuisance; it's the latter he said the task force would need to work on. As he explained, he handed out photos, including one of a house on Gopp Court in south Cheyenne where the roof has caved in.

"Is this inhabited?" Valdez asked.

"Not officially, but according to the neighbors, there are people there coming and going," Lusher replied. "There may be some mechanism where, once we have a way to deal with that situation, there may be a way to pay for it or take possession at some point in the process. Then we'd be able to raze it, or in some cases restore the property."

Orr noted that the city is currently working on resuming a program that would tap into a $1 million Federal Emergency Management Agency grant that would provide low-interest loans to some city residents to help remediate their property. She said such a tool may be one way to help encourage owners of distressed properties to clean them up.

Task force members also discussed reviving a program to provide roll-off dumpsters to some neighborhoods that may provide further incentive to clean up messy yards.

Attention then turned to some specific residential and commercial properties task force members want to see addressed, and what sorts of hurdles currently stand in the city's way. Task force member Corey Loghry produced a two-page list of properties in town that, according to the Board of Public Utilities, had their water and sanitation shut off some time ago – in one case, a house last had water service in 2005.

Gliem suggested Lusher could learn more about whether those properties are occupied, while the task force concentrates on what condition they're in and how they might best be addressed.

"Is it a property that simply has tall grass and needs to be cleaned up, or is this a property where we're looking at total demolition? Can we rehab it? Are the foundation and roof still good?" Gliem

said. “We need to classify properties based on that criteria. If we have a lot of cleanup properties, that might be something we can do quickly and easily.”

As far as drafting ordinances to give the city more leeway to address blighted properties on its own, Orr suggested the task force consider the worst properties first.

“I think we need to start with those properties that are absolutely abandoned, with the second priority being renter-occupied properties where we have landlords that have created really poor living conditions and are taking advantage of their renters,” Orr said. “We need to prioritize and knock off some wins as far as taking care of the abandoned structures we know exist within our community.”

Wolfe and Borin both suggested the need for the task force to correspond with the city’s chief building official and the city attorney once an acceptable blight definition is in place. As they begin to apply that definition to individual properties, those city staffers can begin to assist with crafting specific city ordinances to address ongoing problems.

FEMA-RELATED STORIES:

Americans Once Moved Away From Forests. Now Forests Are Moving Away From Americans. (Washington Post)

By Darryl Fears

Washington Post, February 22, 2017

Over several decades in the past century, city populations swelled as Americans moved away from rural forests. Now the forests are moving farther away from Americans.

A new study of satellite images taken over 10 years starting in 1990 shows the rural forest canopy disappearing. Forest space disappeared from the United States in such big chunks that the average distance from any point in the nation to a forest increased by 14 percent, about a third of a mile.

While that’s no big deal to a human driving a car with a pine-scented tree dangling from the rearview mirror, it is to a bird hoping to rest or find food on epic seasonal flights across the globe, according to the study published Wednesday in the journal PLOS One.

But forests aren’t just for the birds. They improve the quality of life for fauna and flora, from bears to flowers. Altering forests can change the dynamics of ecosystems and can potentially “affect water chemistry, soil erosion, carbon sequestration patterns, local climate, biodiversity distribution and human quality of life,” a statement announcing the report said.

Using forest maps over the continental United States, researchers Sheng Yang and Giorgos Mountrakis of the State University of New York at Syracuse marked tree canopy that disappeared over a decade in red to highlight the change. In one illustration included in the study, the page appeared to bleed.

“So if you are in the western U.S. or you are in a rural area or you are in land owned by a public entity, it could be federal, state or local, your distance to the forest is increasing much faster than the other areas,” Mountrakis said. “The forests are getting further away from you.”

One of the findings of the study is a twist that Yang, a graduate student, and Mountrakis, an assistant professor at the College of Environmental Science and Forestry, didn’t anticipate. The disappearance isn’t happening in cities, where people often complain about the uprooting of trees for development. It’s happening in rural America, where trees are falling and hardly anyone hears.

That finding turns conventional wisdom about forest loss on its head, Mountrakis said. “The public perceives the urbanized and private lands as more vulnerable, but that’s not what our study showed,” he said. “Rural areas are at a higher risk of losing these forested patches.”

"Typically we concentrate more on urban forest," said Sheng, "but we may need to start paying more attention — let's say for biodiversity reasons — in rural rather than urban areas. Because the urban forests tend to receive much more attention, they are better protected."

While people in the sticks are losing their forests, the relationship between urban dwellers and trees is a love story. Dating back to when President Thomas Jefferson denounced the removal of trees that cooled the new capital city as "a crime little short of murder," Jill Jonnes wrote in her book, "Urban Forests," city slickers have fought to defend the little green space they get.

Rock Creek Park in the District of Columbia, Central Park in New York, Piedmont Park in Atlanta, Griffith Park in Los Angeles, and Golden Gate Park in San Francisco are examples of urban forests that are fussed over, pampered and protected by law. They are also cherished gathering places that help define their cities.

The remote areas that Americans have come to know as wild lands are being whittled away by farms, development and wildfire, particularly in the West, Mountrakis said. Arizona, Colorado and Nevada saw significant attrition or separation of forests, according to the satellite images.

In California and Colorado, trees stressed by drought are being eaten to death by beetles, standing dead on mountainsides by the hundreds of millions, virtual ghost forests. Ecologists argue whether fires that might consume them are a good or bad thing, in that it would kill the beetles yet threaten homes too close to the forest edge. Human development is another grim agent of tree canopy loss.

The researchers said they hope public land managers, such as the U.S. Forest Service and Bureau of Land Management, along with officials at the state level, will pay attention to their research. They hope to follow up the study with research into the drivers behind the loss of forests.

But the pictures don't lie, he said. There's no doubt that huge clumps of trees are disappearing.

"You can think of the forests as little islands that the birds are hopping from one to the next," Mountrakis said. The loss of forests has side effects. It alters the local climate, decreases biodiversity and leads to soil erosion. "This is the major driver — we can link the loss of the isolated patches to all these environmental degradations," he said.

The study tracked the loss of forest by calculating the distance to the nearest forest from all points on an area map, Mountrakis said. They noticed that some chunks of tree space disappeared within a forest, but that has less of an environmental impact as forests that wither on the edge, slowly transforming them into islands.

Climate Change Tied To Nation's Infrastructure Needs (The Hill)

By Rep. Raúl M. Grijalva

The Hill, February 22, 2017

In what's become a troublingly common occurrence, the combination of extreme weather and crumbling infrastructure threatened the residents of another American community in California not long ago. Extensive rainfall in Northern California damaged the spillway of the Oroville Dam – the nation's tallest – and threatened numerous communities below the dam with massive flooding.

As The Atlantic reported on Feb. 13, "drought, climate change, and aging infrastructure combined to create a looming catastrophe." Nearly 200,000 residents were forced to flee their homes. Families scrambled to find shelter, gas stations were gridlocked, and stores ran low on supplies. Residents, given mere minutes to evacuate, worried whether their homes would be standing by week's end.

It now appears this crisis was averted, but these kinds of weather extremes and their impacts on our aging infrastructure are becoming more and more common, and the causes are not mysterious. Scientists are documenting a rise in extreme weather events across the United States in response to a warming climate, and Congress has failed to make needed investments in our infrastructure for decades.

What we saw in Oroville should push Congress to understand not just why our infrastructure – the humble roads, dams and bridges we keep hearing about – needs a massive upgrade, but why the risks to that infrastructure are getting worse. Building taller dams or replacing washed-out roads without acknowledging why they keep failing is a recipe for very expensive disasters.

In 1980, when the federal government began collecting data on the number of billion-dollar climate disasters every year, there were only three with losses exceeding $1 billion. In 2016, there were 15 climate disaster events with losses exceeding $1 billion across the United States.

Climate change does not just mean more days with record high temperatures. It means all kinds of extreme weather events will become more frequent and more severe as the planet continues to warm. Floods will become more devastating. Wildfires will burn hotter. Droughts will last longer and affect new areas.

Those fleeing the possible flooding in California were by no means the first climate refugees. Over the past 10 years, the Isle de Jean Charles community in Louisiana has lost two-thirds of its residents to dislocation because of rising sea levels. On Washington's Olympic Peninsula, the Quinault Indian Nation must rely on a 2,000-foot-long sea wall for protection until it can complete its move uphill. In Alaska, climate change flooding and shoreline erosion already affect more than 180 villages, 31 of which are in "imminent" danger of becoming uninhabitable.

If we continue with business as usual, roughly 13 million Americans could become climate refugees by the end of the century. Avoiding this future for our kids and grandkids will require the United States to take decisive action now. Unfortunately, standing in the way is a fact-averse President Trump who calls climate change a Chinese hoax and a Republican Party addicted to campaign contributions from the oil and gas industry.

Just this month, Republicans on the House Natural Resources Committee voted against even acknowledging that human activity is a major contributor to climate change. As long as Republicans in Washington decide they would rather do the bidding of the same old corporate interests and big oil lobbyists than work with Democrats to reduce carbon pollution, climate change will continue to get worse.

More than 70 percent of Americans acknowledge that global warming is happening and more than 90 percent of published climate scientists believe human activity is the primary cause. Scientists tell us that carbon pollution is causing the climate to change 170 times faster than natural forces. Yet President Trump and Republicans in Congress continue to ignore the problem and push an extreme agenda that tips the scales on behalf of the fossil fuel industry and special interests.

It's long past time to get past phony debates about the existence of climate change and get to work on serious climate solutions. This will mean establishing pollution limits and moving away from dirty energy sources that pollute our climate, air, and water.

And if the Trump administration is serious about a bipartisan infrastructure package, they and Congressional leaders must be willing to invest real money and admit that our changing climate is one of the most serious challenges we face. The longer we wait, the more we can get used to seeing the sights we witnessed in California.

Grijalva is ranking member of House Natural Resources Committee and represents Arizona's 3rd District.

The views expressed by this author are their own and are not the views of The Hill.

Region VIII Clips
Thursday, Feb 23, 2017

ANALYSIS

- *Colorado*: A lengthy letter to the editor argues against a new hydrology study in Estes Park… A business development group in Sterling says it has new SBA "grants" to help businesses affected by the 2013 floods. … Dry, warm weather has led to fire bans across the Denver metro area.
- *Montana*: No FEMA-related stories
- *North Dakota*: Two stories report on the mostly voluntary evacuation at the camp of protestors against an oil pipeline being built… AP reports on a meeting today with Senators Hoeven and Heitkamp at Drayton with various officials to discuss flood preparedness … A press releases announces a public meeting, also accessible via video and telephone, on emergency preparedness.
- *South Dakota*: The Pretty Flower Fire has been contained and evacuation orders lifted.
- *Utah*: Three stories report on the extensive flooding in Box Elder County, including a prediction by Lieutenant Governor Spencer Cox that the state would request federal help and that the damage there and in Cache County would meet "thresholds" for that help. (Box Elder County is north and west of Great Salt Lake; Cache County is east of there and of I-15, around Logan)…. Congressman Jason Chaffetz of Utah is demanding records from FEMA on the mobile housing units in Louisiana after an elderly man was found dead in an overheated unit there.
- *Wyoming*: The *Powell Tribune* reports on the flooding along the Big Horn and Greybull rivers… The USDA proposes a program to help identify areas that might be at risk from flooding… A Cheyenne task force to fight blight is considering a FEMA grant that provides money for remediation.
- *Other FEMA-related stories*: The *Washington Post* reports on a loss of forest canopy in the U.S., particularly in rural areas and in the West… An Arizona congressman writes in an opinion piece that climate change and aging infrastructure combine to cause increasing problems, including "climate refugees" within the U.S.

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New Small Business Administration grants offered to help businesses impacted by flood (Sterling Journal Advocate)

More Communities Put Fire Bans in Place on Colorado's Front Range (CBS Ch. 4, Denver)

MONTANA:

No FEMA-related stories

NORTH DAKOTA

Two minors injured at DAPL protest after ordered evacuation (WDAZ TV)

North Dakota Arrests 10 as Pipeline Protest Camp Empties (NY Times)

Hoeven, Heitkamp to discuss flood prep in NE North Dakota (AP)

Public Hearing on Emergency Preparedness Activities (North Dakota Ag Connection)

SOUTH DAKOTA:

Wildfire Contained, Evacuation Orders Lifted In Western SD (AP)

UTAH:

Utah to ask for help from feds over northern Utah flooding (KUTV)

Utah National Guard deployed as 90% of Box Elder County communities affected by flooding (Fox 13)

'Difficult times:' National Guard, neighbors step in to help following Box Elder County flooding (Deseret News)

Utah congressman demands FEMA's Louisiana flood records, says man died in overheated trailer (Baton Rouge Advocate)

WYOMING:

Flooding in Big Horn County (Powell Tribune)

USDA proposes future flood relief program (Northern Wyoming Daily News)

"Fight The Blight" Task Force Considers Ways To Tackle Properties (Wyoming Tribune Eagle, Cheyenne)

FEMA-RELATED STORIES

You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

Americans Once Moved Away From Forests. Now Forests Are Moving Away From Americans. (Washington Post)

Climate Change Tied To Nation's Infrastructure Needs (The Hill)

STORIES

COLORADO:

Letter To Town Board And Citizens Of Estes Park Re: New Hydrology Study

(Estes Park News)

- Feb 22, 2017

HISTORY:

In the 1970's when the federal government started getting increased demands for disaster relief it was decided that some sort of regulation was needed to try to prevent losses and that some sort of mandatory federal insurance was needed offset the losses. FEMA was formed. Although FEMA provides recovery funds for all sorts of disasters flooding was the most common and the most predictable. It is the easiest to keep people away from (it's hard to tell people they can't build in "Tornado Alley" when you can't define it). It was decided that the reasonable level to regulate to would be the 100 year flood. That is the level of water that has a 1% chance of happening in any given year. It is only a statistical number. It could happen or be exceeded in any given year or several times in 100 years or not happen in 500 years. Laws and regulations and insurance rates were passed. Rules were established to determine what amount of water would be the statistical 100 year event on any given waterway using historic measured data or by estimating data by hydrologic studies. The rules state that where measured flow data exists for more than 10 years that it should be the basis. This makes sense since the result is a statistic and measured data is always more accurate than estimated data. We are fortunate in that the stream gage at the Visitor Center has a daily record for 69 years. Fall River has 29 years of intermittent records dating back to 1945.

Hydrology is the study of water runoff. Contrary to the opening statement of the new study, it is not a new science. It has been around for many decades and has been the basis for design for everything from street culverts to the world's largest dams with millions of lives at risk. Its fundamentals are universal. To say that the hydrology of the 1977 study or

subsequent studies is no longer relevant is wrong. There is no evidence of them being in error or inadequate. There is another 40 years of records which further substantiates prior records. All of the previous studies and reports have led up to the most recent study and regulation which was approved by FEMA, the State of Colorado and the Town in March of 2013. This study does not differ significantly from anything done in prior 40 years. One has to ask how one event that statistically could happen in any given year could cause results that are multiples higher in the new study than anything before. The answer is that it shouldn't. What did happen is the State of Colorado got much criticism after the 2013 flood for not being better prepared or getting warnings out sooner. The result was to pass legislation providing grants for local governments to redo their regulations to provide "more protection" i. e. make larger regulated flood plains. This results in more insurance revenue for FEMA with reduced risk. It also makes properties that were not previously in a flood plain almost totally restricted, virtually prohibiting replacement and redevelopment and establishes mandatory insurance that costs thousands of dollars. The whole goal of a flood regulation is to get buildings out of the floodway. This will have a devastating effect on the westerly portion of the central business district and to the town economy. It also is a major injustice to those owners who have built or purchased improvements that at the time were legally outside the floodway. Now, because of a major change in interpretation, their property is reduced to a fraction of its value. Not only will these properties not be able to expand to compete, if they are damaged by any cause to 50% of their value they will not be able to be replaced leaving ground that is virtually worthless. Beyond that they immediately will be hit with mandatory flood insurance that costs much more than normal hazard insurance and only covers floods (that in the expanded areas have only occurred once, in 2013, in recorded history). This added cost will have to be passed on with higher prices on goods sold leaving the whole area at a competitive disadvantage. I cannot imagine a merchant renewing a lease under these conditions.

THE NEW HYDROLOGY STUDY:

The proposed hydrology study when first submitted after extensive peer review by "esteemed" professionals had a 2013 flow in Fall River of 3800 cfs which was used in developing flow models and resulted in a 100 year flow of 3580 cfs. This was based on a single flow estimate using a new method called the "critical depth method" instead of the traditional "Manning's Equation" which is a more involved method. It was pointed out in a prior review that even when properly applied the "critical depth method" will always yield high results due to disregard for debris, sediment, turbulence and not having a level water surface. It may be faster and easier but it is not accurate. After it was shown to the consultants that 3800 cfs could not of occurred, they had the person who developed the "critical depth method" go back and check the Fall River Lane Bridge that did not over top.

He then came up with the number of 2000 cfs which is the maximum that can be put through the bridge, filling it all the way to the bottom chord. This could not happen without creating a back water and did not happen as verified by eye witnesses. The request to adjust this number was denied and it is reflected in the final version of the study. Even this amount of correction brought the 100 year event down to 1860 cfs. Which is a reduction of almost ½ from what would have been adopted had the study not been objected to. This one correction over time amounts to millions of dollars that would have been lost by local citizens.

The Army Corps of Engineers has developed a computer program called HEC – SSP for calculating statistical flow quantity frequencies from stream data that is the required method to be used for flood studies. FEMA has published guidelines for how data is to be treated. Bulletin 17B specifically describes the method by which events that are so far different from the regular range of events are determined to be "outliers". These outliers are treated in a historical context rather than a systematic event. This has the effect of buffering and significantly lowers the 100 year event. The length of the historical context is dependent on how long a period has expired since a similar event. The longer the period the more the buffering. There is no doubt that the 2013 event on Fall River is an outlier as the calculation was preformed both by the consultant (Appendix B, p. 99/333) and by Van Horn Engineering in its review (Appendix H, p. 266/333). In its response to the VHE review (p. 266/333) the consultant refuses to consider 2013 a historic event even though it is an outlier stating there is no prior historic evidence (p. 266/333). This is categorically untrue as the flow of Fall River is included with the Big Thompson and Black Canyon at the Visitor Center gauge which has 69 years of record and is a short distance downstream. The combined flow of all three has never approached the Fall River outlier providing historic proof positive. The instructions specifically say for the preparer to investigate all available history and adjacent data. Modern occupation and written accounts date back to the 1870's and no similar event has ever been recorded nor is there any physical evidence which would still be evident had it occurred. If the 100 year event were correctly calculated (VHE review p. 263 – 271/333) it would come much closer to previously approved studies.

CONCLUSIONS:

The effects of adopting the study as presented are uncalculatable. By increasing the 100 year event by multiples many properties that have not been in the flood plain since its inception 40 years ago will now be severely restricted and heavily taxed by flood insurance. The values of these properties will be a fraction of what they are now. This represents a taking for a public purpose without compensation (like condemning land for a road) and the Town needs to be very careful and sure before they take such an action. It is hard to imagine a very high confidence level in a study which has already been shown to have very large errors in

its estimates. In most instances of the government changing regulations there is a provision of "grandfathering" those people who legally relied on previous rules. This is not the case here and the total loss will be borne by the impacted individuals who have to depend on their elected officials to protect their interests.

There are two things the Town Board can do. One is to send the study back to the consultants and tell them to not to use impossible estimates for Fall River and to follow the rules and treat the 2013 flood as the historic event that it was. The other is to not adopt the study at all and use the perfectly valid and approved 2013 study which is the legal regulation now. The flood maps are going to have to be redrawn no matter which hydrology is used because of channel changes. This will establish the new flood regulation.

Bill Van Horn, PE 9485

New Small Business Administration grants offered to help businesses impacted by flood (Sterling Journal Advocate)

Jones gives yearly report on Small Business Development Center activities

By Callie Jones

Journal-Advocate news editor

POSTED: 02/23/2017 07:02:21 AM MST

Eastern Colorado Small Business Development Center is again seeking to help businesses impacted by the 2013 South Platte River flood. Laurie Jones, SBDC's Logan County business consultant, spoke to the commissioners Tuesday about the second round of a flood/disaster recovery grant program.

After the flood first hit, Jones had over 100 businesses contact her and at that time the Small Business Administration (SBA) came to Sterling and established an office with FEMA (Federal Emergency Management Agency), to help business owners and residents impacted by the flood apply for an SBA loan. Eligible applicants could get up to $50,000.

"The challenge we had is the requirement is they had to go through the SBA loan process in order to qualify. That was a very lengthy and it was a very frustrating process, and it was a direct to the SBA, as opposed to going through a bank," Jones said.

Because of that, in Logan and many other counties, there weren't many people that received funds. Though Jones did say she had some clients get a $50,000 grant and more often they received $5,000-$10,000 grants.

The state has now changed the program and Jones is able to go back and reach out to those 100 clients, "and of those I think I've got a pretty good shot, if they're willing to go through the process, of getting them some grant funding," she said.

She noted this time the application is much simpler, but applicants must prove that due to the flood they lost at least $5,000 in revenues and it can't just be during the days the city was shut down during the flood. They have to show financially that into 2014 they had less revenue than, say, in 2013, 2012, etc.

"So, we have a process, it's much more streamlined and I believe based on the people I've already met with I can get a lot of money out into the hands of them," Jones said.

She pointed out that child care providers were a real challenge in the first round of grants and she's still not sure they'll be able to meet that $5,000 loss, "but I'm going to go back out and try to reach through that group again," Jones said.

There is an emphasis to try to get this outreach done over the next couple months, because as things change there is no guarantee SBA will continue to have that grant funding available.

Jones noted the new program also includes fires, so she is trained in if there is any kind of major disaster here, "we now have a process that we can step into to help our business community with some funds," she said.

Additionally, Jones gave a yearly report on SBDC. Over the last five years, she's met with about 210 business owners in Logan County and there are around 600 to 650 businesses total....

Callie Jones: 970-526-9286, cjones@journal-advocate.com

More Communities Put Fire Bans in Place on Colorado's Front Range (CBS Ch. 4, Denver)

February 22, 2017 12:03 PM

Filed Under: Fire Bans, Wildfires

DENVER (CBS4) – For a stretch of 37 days there has been no measurable precipitation across the Denver metro area.

With that dry weather and persistent unseasonably warm weather fire danger has shot up, and several county and city managers have enacted fire restrictions in the past few days.

The following is a list of all the areas with fire restrictions:

– Jefferson County (unincorporated areas), plus Lakewood and Golden – Stage 1 fire restrictions (see below)

– Arapahoe County – ban on all open fires and open burning

– Adams County (unincorporated areas) – Level 2 Burn Restriction

– Douglas County, plus Castle Rock

– Boulder County, plus Lafayette

– Teller County

– Elbert County

– Lincoln County

– Las Animas County

Check the website coemergency.com for the latest updates on fire bans in Colorado.

Officials in Golden described the Stage 1 restrictions as follows:

All open burning, including bonfires; open flame torches and welding in wildfire risk areas and model rockets are prohibited. Also banned is the use of recreational fires within 30 feet of undeveloped areas including green belts and open space lands. Smoking within six feet of any outdoor area not cleared of combustible vegetation is also prohibited.

Exceptions to these temporary restrictions include: supervised public fireworks displays by a state licensed operator (subject to specific GFD operational permit requirements); outdoor cooking fires contained within commercial gas fueled grills, enclosed wood or wood pellet grills or smokers; enclosed outdoor fireplaces or chimineas; powered yard equipment for landscape purposes; any federal, state or local law enforcement officer or member of an organized rescue or firefighting force in the performance of an official duty.

Wildfire Resources

– Visit CBSDenver.com's Living With Wildfire section.

MONTANA:

No FEMA-related stories

NORTH DAKOTA:

Two minors injured at DAPL protest after ordered evacuation (WDAZ8)

CANNON BALL, N.D. — A few dozen protesters remain camped out Wednesday night, despite the day's 2 p.m. evacuation deadline.

After taking a break Wednesday, come 9 a.m. Thursday, crews are moving in, saying the region is on the brink of an environmental disaster.

The 2 p.m. deadline has passed and up to 50 protesters remain. The state is giving them until 9 a.m. Thursday to get out.

"They will have every opportunity to leave the camp tomorrow without arrest," Gov. Doug Burgum said at a press conference Wednesday evening at the Morton County Courthouse..

Ten protesters did turn themselves in Wednesday outside the camp.

"You had to try and be arrested today," said Burgum.

For the most part, the arrests took place without incident.

"We are following up on a hip injury involving someone who was arrested," said Morton County Sheriff Kyle Kirchmeier.

Prior to the evacuation, there was one last march against the Dakota Access Pipeline.

More than a hundred protesters left Cannon Ball to avoid arrest.

The governor says about 70 people have taken advantage of a state-funded program supplying them with hotel rooms and bus tickets.

While Burgum could not provide a cost to taxpayers at this time, he calls the program his decision.

"We are saving taxpayer dollars anytime we can buy a bus ticket and hotel room versus trying to put them through the legal system," Burgum said.

There was a near tragedy Wednesday as protesters intentionally set nearly two dozen buildings inside the camp on fire.

In one of the blazes, a 7-year-old boy was hurt along with a 17-year-old girl following either an explosion or flames that got out of control.

'There was a 17-year-old woman who was severely burned and she's been airlifted to Minneapolis," Burgum said.

After not being allowed in the camp Wednesday, contractors hired by the Army Corps of Engineers plan to return first thing in the morning.

It's a race against time and the cleanup could take more than three weeks due to the amount of debris left behind, the cost to taxpayers, likely over $1 million.

"To ensure none of this garbage, none of this waste, debris and structures and vehicles end up in the reservoir. That would be an environmental catastrophe," said Col. John Henderson of the Army Corps of Engineers.

Due to the amount of junk still left behind and not knowing what is buried beneath feet of mud, the contractors actually underwent hazmat training for their safety.

The company building the pipeline says they could have oil flowing as soon as March 6.

North Dakota Arrest 10 as Pipeline Protest Camp Empties (NY Times)

CANNON BALL, N.D. — The fires burned for hours on the flat, muddy landscape, their thick smoke rising through snowflakes that tumbled to the ground. Someone rode a snowmobile across the dirt, and others moved their belongings to the side of a rural highway. The police gathered, prepared to follow the governor’s order to clear people from this rural part of the state.

But the Wednesday afternoon deadline for protesters of the Dakota Access oil pipeline to empty their largest encampment passed with far more uncertainty than unrest. In the hours after the deadline, the authorities made 10 arrests but said they would not fully empty the camp on Wednesday night.

Roughly 25 to 50 demonstrators were believed to remain in the mandatory evacuation zone, said Gov. Doug Burgum, who said cleaning crews planned to enter the camp Thursday morning. “Anyone who obstructs our ability to do cleanup will be subject to arrest,” Mr. Burgum said.

The scene here, about an hour's drive south of Bismarck, the state capital, seemed to represent a muffled end to a specific and passionate protest that drew thousands of demonstrators and became central to the national debate about energy, the environment and the rights of Native Americans. Protesters argued that the nearly completed pipeline, now moving ahead with the support of President Trump's administration, could imperil the drinking water supply on the Standing Rock Sioux Reservation.

"We won," said Vanessa Red Bull, 54, who has spent months here. "We slowed that pipeline down months and months and months. We cost them who knows how much money. And we slowed them down."

She added, "This has been a multilayered event that has brought attention to glaring issues."

Ms. Red Bull and her allies won a brief victory last year, when the Army Corps of Engineers said in the waning days of the Obama administration that it would conduct an environmental impact study before allowing the 1,172-mile pipeline to cross Lake Oahe, the Missouri River reservoir near the encampment. But the beginning of the Trump administration brought a swift and substantial defeat: an instruction that the Army abort its study, a decision that allowed construction to resume.

Barring court intervention, oil from the Bakken fields in western North Dakota could flow through the pipeline this spring. But on Wednesday, the matter at hand was what to do with the encampment, which had become an abiding and, for some, spiritual symbol of activism. State officials cited fears of flooding for the governor's decision last week to order a mandatory evacuation of the site.

"It's time for protesters to either go home, or move to a legal site where they can peaceably continue their activities without risk of further harm to the environment," the North Dakota attorney general, Wayne Stenehjem, said in a statement. Officials said that trash at the protest camps would pose an ecological risk if it were washed downstream by flooding, and that urgent cleanup was necessary.

Both sides have accused the other of escalating tension and engaging in violence since the protest started last year as a decidedly local affair. The camps ultimately swelled to thousands in the summer and fall, with Native Americans and supporters from across the country gathering in spirited opposition and setting up a makeshift society in the camps, complete with cooking tents and supply areas.

But on Wednesday, months of tension mostly gave way to a somber calm as demonstrators left and a cold rain turned to snow. Some protesters set fire to semipermanent structures before the 2 p.m. deadline.

"It's an act of defiance," Nick Cowan, 25, said as he watched a fire burn on Wednesday after living here for more than two months. "It's saying: 'If you are going to make us leave our home, you cannot take our space. We'll burn it to the ground and let the earth take it back before you take it from us.'"

Two youths were injured at the camp Wednesday, apparently from the fires, officials said, including a teenage girl who was hospitalized with severe burns.

North Dakota officials offered meals, lodging, a medical exam and a bus ticket to anywhere in the 48 contiguous states for protesters who left by Wednesday afternoon but needed help getting home.

That approach was at odds with events of recent months, when the demonstrators sporadically clashed with the police, leading to the activation of the North Dakota National Guard and hundreds of arrests. The police sometimes used tear gas and rubber bullets. The North Dakota Guard said on Wednesday that it had spent more than $8 million responding to the protest since August.

Despite the lingering frustrations, tensions seemed to have eased in recent weeks as the ranks of demonstrators declined during the harsh winter. Dave Archambault II, the chairman of the Standing Rock Sioux Tribe, which has sued seeking to block the pipeline construction, urged protesters to go home.

On Wednesday, many of them did.

“I think people are saying goodbye,” said Ms. Red Bull, who spent about six months here. “I think that’s why people are setting things on fire: as a way of a last homage to what had become many people’s homes. A community was here.”"

Hoeven, Heitkamp to discuss flood prep in NE North Dakota (Associated Press)

DRAYTON, N.D.

North Dakota's two U.S. senators will be in Drayton on Thursday to discuss flood preparation in northeastern North Dakota this spring.

Sens. John Hoeven and Heidi Heitkamp will meet with federal, state and local officials in the afternoon. The meeting is aimed at making sure communities are prepared for possible flooding.

After the flood outlook meeting, Hoeven and Heitkamp will tour Drayton's earthen levee.

The recent flood outlook from the National Weather Service shows an increased risk for moderate to major flooding in the northern Red River Valley. The outlook also projects near-record runoff for the Devils Lake Basin.

Public Hearing on Emergency Preparedness Activities (ND Ag Connection web site)

The North Dakota Department of Health has scheduled a public meeting designed to educate the general public about emergency preparedness activities and provide an opportunity for public comment. The meeting will be held March 2 at 1 p.m. CST at 1720 Burlington Drive in Bismarck. Participants may also join via teleconference by dialing 1-855-361-4591. In addition, the public also can participate through video conference at participating local public health units throughout the state where video conference is available, or the meeting can be accessed online via live webcast.

"Extensive use of the public health and medical response systems have been successfully implemented in the last several years in response to civil disturbances, equipment malfunctions at medical facilities, medical facilities evacuations, fires, flooding, tornadoes and other weather emergencies," said Tim Wiedrich, section chief of the Emergency Preparedness and Response Section of the North Dakota Department of Health. "This meeting will give people a chance to learn about the work that has been done and give us feedback."

The meeting will start with a presentation highlighting the planning that has been done and will conclude with time for comments. To participate, contact your local public health unit or call the toll-free phone number. To access the webcast online, follow these instructions:

Step 1. Before the webcast, please check that your computer can play Windows Media streams. Mac users may download Windows MediaComponents for Quicktime from www.microsoft.com.

Step 2. Type the following link into your browser: http://www.ndhealth.gov/WebcastHigh.asx. The feed typically starts within 15 minutes before the scheduled time. The webcast is for viewing only. If you wish to ask a question, please call the teleconference line.

Please note that there is a delay between the webcast and teleconference feeds by several seconds. If you are watching the webcast and would like to call in with a question, please use your phone's audio instead of the computer to avoid confusion due to the sound delay.

SOUTH DAKOTA:

Wildfire Contained, Evacuation Orders Lifted In Western SD (AP)

Associated Press, February 22, 2017

HAYWARD, S.D. (AP) — A wildfire that threatened up to 30 homes in western South Dakota has been contained and evacuation orders have been lifted.

Incident Commander Ray Bubb declared the fire 100 percent contained Wednesday morning. Two engines and two crews were left in the area to finish mopping up the fire that started Tuesday and had spread to over 33 acres of mostly private land near Hayward.

Investigators say the fire, dubbed the Pretty Flower Fire, sparked from a burning slash pile and spread because of dry, warm and windy conditions Tuesday morning. By late Tuesday afternoon the fire crews had begun to leave the fire as it was 75 percent contained.

Officials say all remaining work on the fire has been handed over to the South Dakota Wildland Fire Suppression team.

UTAH:

Utah to ask for help from feds over northern Utah flooding (2 KUTV)

BOTHWELL, THATCHER, ELWOOD and NORTH GARLAND: the Box Elder County Emergency manager said those are among the areas with the most dramatic flooding -- which has now stretched for days.

The county reported Wednesday 30,000 bags have been filled with roughly 700 tons of sand for the most immediate response; and a dozen members of the Utah National Guard arrived in Tremonton, Utah, with a machine to automatically fill the bags at the Box Elder County Fairgrounds.

Lt. Governor Spencer Cox choppered above the flooding on Wednesday, said he was surprised by the amount of standing water on property north of Ogden, and said the state will make a plea to help from the federal government.

Cox thought damage "thresholds" have been met to trigger federal aid. What is unclear is whether that money, if approved, would go solely to cover repairs to public infrastructure, or whether private property owners could get some assistance.

Cox said he is most concerned with the high water now, precipitation which is coming, and property damage.

Box Elder County said it has 13 pumps operating now to divert floodwaters, with six more on the way. The county is also "monitoring three landslide locations."

It is also "dealing with floods in western Box Elder County due a Nevada dam break."

Wednesday night, the Red Cross was scheduled to hold an open house at the Aldersgate United Methodist Church in Brigham City for those affected by the flooding.

Utah National Guard deployed as 90% of Box Elder County communities affected by flooding (Fox 13)

BOX ELDER COUNTY, Utah - Dozens of community volunteers worked for hours Wednesday evening to fill hundreds of sandbags at the Box Elder County Fairgrounds.

They took over after the Utah National Guard spent all day filling bags in an effort to relieve massive flooding in the area.

"Twelve personnel right now, so it's a smaller contingent, but we do have a sand-bagging machine," explained Capt. Lance Curzon during a press conference Wednesday afternoon.

Box Elder County Commission Chair Stan Summers said they've gone through 30,000 sandbags and 700 tons of sand, all to combat the catastrophic flood.

"One of the worst floods that I've seen in my lifetime," he said.

He estimated 90 percent of the communities in the county have been affected. The flood filled basements with water, shut down businesses and closed waterlogged roads, he explained.

"Nowhere to go, all the ditches are full, all the canals are full," Summers said.

Lieutenant Governor Spencer Cox saw it for himself Wednesday afternoon, during a tour in a helicopter and on the ground. While the damage was apparent in a video he filmed from the sky, he reported good news.

"The water has receded significantly, and that has to do with the temperature more than anything," Cox said.

Summers also explained they put out more than a dozen pumps to reroute water, and a half dozen more are on the way.

Many roads reopened, with only a couple still not passable.

But Lt. Gov. Cox expressed that what he witnessed also worried him.

"Problem now is has moved north," he said, of the flooding. "We saw that from the air a little bit earlier. It's significant, impacting a lot of houses."

He said they are assessing Box Elder and Cache Counties for flood damage, and initial estimates place it at more than $4 million.

That would be enough to call for federal emergency assistance, he said.

While the Utah National Guard is helping for now, they're also urging the community to continue step in.

"If you are okay, then go help your neighbors," Summers said, stopping to hold back tears.

He said he's seen so much of that already, and Lt. Gov. Cox agreed, saying it's been inspiring for him to see the outreach in this time of crisis.

'Difficult times:' National Guard, neighbors step in to help following Box Elder County flooding (Deseret News)

ELWOOD, Box Elder County — Following four days of extensive flooding in Box Elder County, Stan Summers couldn't hold back his emotions while describing the plight of one particular resident.

"There was an older gentleman that (approached us) and said, 'I don't have any money, can I get some sandbags?'" Summers, a Box Elder County commissioner, told reporters in Elwood through tears. "I don't know what you tell them besides, 'just get in here, load your sandbags up, where do you need them?'"

Warm weather, rainfall and massive snowmelt have resulted in flooding affecting up to 90 percent of communities in Box Elder County, officials estimate. The Utah National Guard was called to assist large-scale sand-bagging efforts Wednesday.

About 12 soldiers from Camp Williams responded to the Box Elder County Fairgrounds with an automatic sand-bagger, according to the National Guard.

"When it's operating at its peak efficiency, it's very helpful," National Guard Capt. Lance Curzon said. "We're able to fill up sandbags and put them on those pallets very quickly."

The response hasn't gone unnoticed by local officials.

"We appreciate everybody coming and doing these things for us," Summers said. "It's a little overwhelming to say the least in the last four days to watch everybody come together."

The widespread flooding of roads and homes means that opportunities for reaching out are plentiful, Summers said.

"I'd just say, if you're OK, you don't have to look very far to go help your neighbor," he said.

About 30,000 sandbags have been filled with 700 tons of sand and distributed to 25 locations throughout the county, Summers said. Thirteen heavy-duty pumps are in place to protect homes, businesses, fields and roadways, with six more on the way.

Salt Lake County also pitched in after an official made a call to the county mayor.

"They don't have time to go out and fill (sandbags) because they're out on the streets really protecting their community," Salt Lake County Mayor Ben McAdams said. "So I said, 'let me see what I can do we'll get some people together and get some sandbags up to you ASAP.'"

Volunteers filled between 3,000 to 4,000 sandbags Wednesday morning in Midvale; they were shipped to Tremonton in five large trucks early Wednesday evening.

"I know they'd do the same for us if we were in crisis. They'd help out," McAdams said.

The American Red Cross teamed up with state and local agencies at the Aldersgate United Methodist Church, 850 S. 200 East in Brigham City, to create a one-stop help center for flood victims.

For people like Corinne resident Rick Miller, whose family has a flooded basement and a ruined furnace, finding that help Wednesday was essential. He visited the church in hopes of finding help keeping his home warm.

"We've been living off of our wood-burning stove. ... I don't know if there's a way they can help us with our furnace — if there there's a way they can (help us find) fire wood that's dry," he said.

Summers said Box Elder County residents were mindful of the help coming in from throughout the state.

"We know that we have friends on every side," he said. "It's funny how events like this kind of erase borders between counties and states."

Curzon said he was grateful the National Guard got the call to assist.

"For us -- we have to see people in these difficult times, so we're more than happy to be up here and do everything we can. ... This is why we do it," Curzon said. "This is why all of us volunteered to serve in the military. You know, sometimes we've been called to go overseas, but it's nice to be here in the same communities that we live in."

Lt. Gov. Spencer Cox, who flew to Box Elder County to survey the damage Wednesday, praised those who had devoted "tens of thousands of man-hours" to protect homes and businesses.

"I (knew I was) going to see some terrible things and talk to some people who are having a really, really bad day," Cox said. "But I (knew I would) leave inspired because (of) ... stories about communities coming together, neighbors coming together, people coming together, churches coming together and helping each other out."

Brigham City resident Kerri Petersen drove to Tremonton with her sons to assist flood victims, most of whom she didn't know.

"(It) feels good," Peterson said. "Glad to get my boys helping, too."

Petersen can empathize with the stress of having her home threatened. The crawlspace of her own home flooded last week, she said.

Summers said there has been intermittent flooding in Box Elder County since January, mostly in its western portion.

"It really became a problem when the snowpack started to melt," he said.

Some roadways and canals have been breached in recent days, Summers said, making the situation all the more dire.

Mark Millett, emergency manager for Box Elder County, said the large snowpack, combined with warm, wet storms, is responsible for the flooding.

"As it's melted, the snow has just continued to concentrate the moisture (in place) and in many cases, not really run off too much," he said.

Most Box Elder County and other northern Utah residents can expect falling temperatures and snowfall for a large portion of Thursday, according to a forecast from KSL-TV meteorologist Kevin Eubank.

Temperatures are expected to cool significantly, dropping into the high 20s or low 30s through Saturday.

That forecast is good news to Box Elder officials.

"If we can move into just kind of a cooler warming period to allow us to come off in that more incremental measure, we're fine," Millett said.

Utah congressman demands FEMA's Louisiana flood records, says man died in overheated trailer (The Advocate)

BATON ROUGE – A Utah congressman is demanding the Federal Emergency Management Agency turn over documents on mobile housing units related to the August flood after an elderly man was found dead in an overheated trailer.

"When local authorities inspected the MHU, they discovered temperatures over 137.0 degrees Fahrenheit with the air conditioning and heating control unit reading 50 degrees Fahrenheit," states the letter by Jason Chaffetz (R-Utah), chairman of the House Committee on Oversight and Government Reform.

The letter does not provide specific identifying information on the deceased man or where he was found. FEMA has told committee members that there have been no deaths due to faulty MHUs, Chaffetz's office wrote.

The congressman also raised concerns about the length of time it took to deliver mobile homes to flood survivors and the efficacy of the Shelter at Home program.

WYOMING:

Flooding in Big Horn County (Powell Tribune)

Fifteen minutes. That's all the time Ernie and Teresa Marsh had Tuesday to get themselves and their vehicles out of the path of a flood that no one expected to ever happen near their Big Horn County home.

"It might be one of those 100-year deals," Ernie Marsh said Wednesday. "No one remembers a flood like this right here," off Spence Oil Road between Greybull and Lovell. "Even the county sheriff doesn't remember (a flood) here."

Ice jams in the Big Horn River have caused repeated flooding before in other areas — Worland, Manderson and Greybull, for example. But the Marshes' property sits near a straight section of the river.

"It's kind of odd that (ice) would pile up here," Marsh said.

But pile up it did, and once that happened, the Marshes went into action to get into their vehicles and move them to higher ground, out of the way of the fast-approaching floodwater.

Unfortunately, there wasn't time to salvage much from their mobile home or from the shop where Ernie Marsh does silversmithing.

Later, they moved their horses to higher ground.

"The horses weren't wanting to leave on their own yesterday, so we had to wade out there to move them," Marsh said.

Larry and Dianne Ostermiller of Powell own a cabin on neighboring property.

Larry Ostermiller got a call from the local rural electric association Tuesday telling him that workers were going to shut off power to the cabin, because it had flooded.

"We were just flabbergasted," Dianne Ostermiller said. "We felt like there was no danger."

A 4-foot dike ran around their property, and the Federal Emergency Management Agency didn't have the property listed on a flood plain, Larry Ostermiller said.

When the ice jammed, "the dike held everything out except for in one spot, where a bunch of mice had holes burrowed in the dike," he said. "Cats were digging them out over time, and the water found a weak spot and washed it right out."

Larry Ostermiller got a call Tuesday evening from Marsh, who asked if he knew anyone who had a boat he could use to get things out of his mobile home, as he wasn't sure it would still be standing Wednesday morning.

Ostermiller borrowed a flat-bottomed rowboat from a friend and drove it down to the Marshes' property. They used the boat to make several trips, shuttling valuables and irreplaceable family belongings from the home — family photos, marriage certificates, etc. — to higher ground.

Marsh resumed those efforts the next morning, when he saw the mobile home was still standing.

“The house is still there, and my shop building where I work on stuff,” he said.

The rowboat came in “real handy,” Marsh said, adding with some astonishment, “I’m not often wading in a rowboat in the middle of a desert.”

He said the floodwater contains a lot of unidentifiable debris of different colors, probably from previous flooding upriver.

“There’s a lot of people in Worland that had this happen earlier,” he said.

Another neighbor couple is spending the winter in Arizona, so Marsh said he checked out their property and gave them a report. That house stands a little higher, so it’s barely out of the water, but other buildings on the property were flooded. Ostermiller said the couple had a brand new Jeep Cherokee parked in one of their shops.

Now, it’s pretty much a waiting game.

“We’re not sure if this is going to go up or down,” Marsh said early Wednesday afternoon. “It seems like it’s fluctuated a little bit; the water was down about 6 inches, but now it looks like it’s kind of on the rise again.”

“All I can do is just wait and see what happens and clean up the mess later,” he said. “This is my first flood, so I’m kind of a newbie.”

Neither the Ostermillers nor the Marshes had flood insurance. Until Tuesday, it didn’t seem necessary.

“Ours is not a great situation,” Dianne Ostermiller said. “We’re going to lose a lot financially.”

The Marshes, meanwhile, have lost their home and their business.

Still, Marsh said it could have been much worse.

“We’ve got all our horses, our family’s good, the dogs and cats are OK, so we’re feeling pretty blessed about that,” he said.

Marsh said he and his wife are staying with their son in Byron.

“We’re feeling pretty lucky,” he said. “It happened in the daylight when we could see it coming and we were able to get out of the way.”

Authorities watch river

Four different ice jams caused trouble along the Big Horn River on Tuesday, with reports of some properties flooding in Manderson, Basin and the rural areas between Greybull and Lovell.

"The ice jams are moving along the river in Big Horn County, causing old ice jams to break and move and forming new ice jams as it goes," Big Horn County Emergency Management Coordinator LaRae Dobbs said in a Tuesday Facebook post.

Dobbs said the ice jam between Greybull and Lovell was particularly large.

"Our pre-flood efforts are in place, and the river is being monitored on a continuum. This is the hard part, where we watch and wait," she wrote, adding, "If you live along the Big Horn/Greybull river, please take precautions. Move your animals away from the river, and make preparations for your family to evacuate if you are flooded."

Runoff water reached high levels over the weekend in Manderson at the confluence of the Nowood and Big Horn rivers. Ice from the Nowood River jammed just above Manderson, before it flows into the Big Horn.

"The jam pushed out Monday, and water levels are dropping," Pete Hallsten, district engineer for the Wyoming Department of Transportation, said Wednesday. "The town never got wet, but the water came up into the U.S. 16/20 highway right-of-way. The water was still 2 to 3 feet below the roadway."

The ice jam, which flooded parts of the Worland area last week, remained a couple miles above Manderson on Tuesday.

WYDOT said its maintenance crews continue to provide support in flood mitigation efforts near Worland, Manderson and Greybull.

Those efforts include transporting and placing concrete barriers, providing sand for sandbagging operations, transporting and placing filled sandbags, closing roads when necessary for safety, inspecting bridges and advising officials on flood control efforts.

If the jam hadn't reached Manderson Wednesday or Thursday, "it may be a while, as the weather is forecast to cool down through the rest of the week," Hallsten said. "A good snowstorm is being forecast, with dropping temperatures."

Big Horn River flows through Worland, Manderson and Greybull were high but within the river channel Wednesday.

"Frost is leaving the ground, so runoff water is being absorbed into the ground," Hallsten said. "So even as the melting picks up, the runoff is subsiding. Most of the low-lying snow is melted throughout the Big Horn Basin."

He said WYDOT's main concern remains how the ice might impact area towns and river crossings associated with bridges.

"From what it currently looks like, we are in a waiting game to see what happens," said WYDOT District Maintenance Engineer Lyle Lamb of Basin. "We will continue to support communities along the Big Horn River."

Wyoming National Guard troops were demobilized from the area on Saturday.

USDA proposes future flood relief program (Northern Wyoming Daily News)

WORLAND – The Washakie County Commission heard from a representative from the United States Department of Agriculture on Tuesday, introducing the opportunity to sponsor a flood relief program that could benefit county projects in the future.

Introduced by county Emergency Watershed Manager Laura Galloway of Ten Sleep, primary soil scientist James Bauchert with the USDA explained to commissioners the parameters of the Emergency Watershed Flood Funding program, and the role it could have in the local area.

While the program would not benefit the most recent flooding in Worland, it could help identify potential risk to wildlife and physical structures including private property and bridges.

While the USDA program would work mainly with primary sponsor, the Washakie County Conservation District, the agency would need the commission to co-sponsor, to fulfill a requirement demanding that at least one sponsor have authority of eminent domain and taxation.

"Anytime the phrase 'eminent domain' is used, I get a bit nervous," noted Commissioner Fred Frandson. "I don't like those two words."

Bauchert assured the commission that all authority to invoke eminent domain in the case of an emergency situation remained the power of the commission, and that the USDA had no jurisdiction other than requiring a sponsoring body have the authority.

The commission agreed to review the program with the county attorney, and come to a resolution before the next commission meeting in March.

In other business, Public Health Nursing Manager Amanda Heinemeyer requested a budget hearing, to attain an additional $10,000 for the county vaccination program. The council agreed to review the matter and schedule it for the next regular meeting in March.

"Fight The Blight" Task Force Considers Ways To Tackle Properties (Wyoming Tribune Eagle, Cheyenne)

By James Chilton
Wyoming Tribune Eagle, February 22, 2017

CHEYENNE – Mayor Marian Orr's all-volunteer "Fight the Blight" advisory task force began to discuss the work ahead of it Tuesday, including working out a definition of the blight it's aiming to eliminate.

Task force members discussed the need to properly define the concept of blight to understand what sorts of ordinances it may ultimately recommend to the City Council down the road. To begin, Orr shared her own ideas for what she'd like to see the task force combat.

"My vision is to look more at things that are dangerous. If someone decides to decorate their house with yard gnomes, that's up to them," Orr said. "I think it's attractive nuisances – buildings and properties left vacant ... walking the dog in my neighborhood this weekend, there are abandoned homes being broken into, and it's problematic."

As an example, Orr pointed to a house on Bent Avenue that was only recently declared to be unfit for human habitation by the city's building safety department. Such properties, she said, if left unsecured, could attract both children unaware of the danger and vagrants or criminals.

"That homeowner has 30 days to respond (to the building department's concerns), but where do we go from there?" Orr asked. "It's an out-of-town owner."

Task force chairwoman Julie Gliem tasked member and local attorney Larry Wolfe with researching other municipalities' definitions of residential and commercial blight, with the aim of returning to the task force's March 7 meeting with some workable language members might adopt going forward.

Fellow task force members Dominic Valdez and Steve Borin noted they'd already done some looking into the definitions of blight and found they vary widely depending on the community. Valdez said about the only common theme he saw was that urban blight often went hand in hand with the term "nuisance," though Orr noted even that term can be subject to different interpretations.

"There are at least two different levels (of nuisances), if not three: you have tall weeds and an elderly person who just can't keep up with the yard, or an empty house with an out-of-town owner where the weeds are tall," Orr said. "But there are also homes that have been uninhabited for years that are literally rotting away, and people know the place is not inhabited."

City code enforcement officer Emmett Lusher said the city already has all the legal tools needed to address the first kind of nuisance; it's the latter he said the task force would need to work on. As he explained, he handed out photos, including one of a house on Gopp Court in south Cheyenne where the roof has caved in.

"Is this inhabited?" Valdez asked.

"Not officially, but according to the neighbors, there are people there coming and going," Lusher replied. "There may be some mechanism where, once we have a way to deal with that situation, there may be a way to pay for it or take possession at some point in the process. Then we'd be able to raze it, or in some cases restore the property."

Orr noted that the city is currently working on resuming a program that would tap into a $1 million Federal Emergency Management Agency grant that would provide low-interest loans to some city residents to help remediate their property. She said such a tool may be one way to help encourage owners of distressed properties to clean them up.

Task force members also discussed reviving a program to provide roll-off dumpsters to some neighborhoods that may provide further incentive to clean up messy yards.

Attention then turned to some specific residential and commercial properties task force members want to see addressed, and what sorts of hurdles currently stand in the city's way. Task force member Corey Loghry produced a two-page list of properties in town that, according to the Board of Public Utilities, had their water and sanitation shut off some time ago – in one case, a house last had water service in 2005.

Gliem suggested Lusher could learn more about whether those properties are occupied, while the task force concentrates on what condition they're in and how they might best be addressed.

"Is it a property that simply has tall grass and needs to be cleaned up, or is this a property where we're looking at total demolition? Can we rehab it? Are the foundation and roof still good?" Gliem said. "We need to classify properties based on that criteria. If we have a lot of cleanup properties, that might be something we can do quickly and easily."

As far as drafting ordinances to give the city more leeway to address blighted properties on its own, Orr suggested the task force consider the worst properties first.

"I think we need to start with those properties that are absolutely abandoned, with the second priority being renter-occupied properties where we have landlords that have created really poor living conditions and are taking advantage of their renters," Orr said. "We need to prioritize and knock off some wins as far as taking care of the abandoned structures we know exist within our community."

Wolfe and Borin both suggested the need for the task force to correspond with the city's chief building official and the city attorney once an acceptable blight definition is in place. As they begin to apply that definition to individual properties, those city staffers can begin to assist with crafting specific city ordinances to address ongoing problems.

FEMA-RELATED STORIES:

Americans Once Moved Away From Forests. Now Forests Are Moving Away From Americans. (Washington Post)

By Darryl Fears

Washington Post, February 22, 2017

Over several decades in the past century, city populations swelled as Americans moved away from rural forests. Now the forests are moving farther away from Americans.

A new study of satellite images taken over 10 years starting in 1990 shows the rural forest canopy disappearing. Forest space disappeared from the United States in such big chunks that the average distance from any point in the nation to a forest increased by 14 percent, about a third of a mile.

While that's no big deal to a human driving a car with a pine-scented tree dangling from the rearview mirror, it is to a bird hoping to rest or find food on epic seasonal flights across the globe, according to the study published Wednesday in the journal PLOS One.

But forests aren't just for the birds. They improve the quality of life for fauna and flora, from bears to flowers. Altering forests can change the dynamics of ecosystems and can potentially "affect water chemistry, soil erosion, carbon sequestration patterns, local climate, biodiversity distribution and human quality of life," a statement announcing the report said.

Using forest maps over the continental United States, researchers Sheng Yang and Giorgos Mountrakis of the State University of New York at Syracuse marked tree canopy that disappeared over a decade in red to highlight the change. In one illustration included in the study, the page appeared to bleed.

"So if you are in the western U.S. or you are in a rural area or you are in land owned by a public entity, it could be federal, state or local, your distance to the forest is increasing much faster than the other areas," Mountrakis said. "The forests are getting further away from you."

One of the findings of the study is a twist that Yang, a graduate student, and Mountrakis, an assistant professor at the College of Environmental Science and Forestry, didn't anticipate. The disappearance isn't happening in cities, where people often complain about the uprooting of trees for development. It's happening in rural America, where trees are falling and hardly anyone hears.

That finding turns conventional wisdom about forest loss on its head, Mountrakis said. “The public perceives the urbanized and private lands as more vulnerable, but that’s not what our study showed,” he said. “Rural areas are at a higher risk of losing these forested patches.”

“Typically we concentrate more on urban forest,” said Sheng, “but we may need to start paying more attention — let’s say for biodiversity reasons — in rural rather than urban areas. Because the urban forests tend to receive much more attention, they are better protected.”

While people in the sticks are losing their forests, the relationship between urban dwellers and trees is a love story. Dating back to when President Thomas Jefferson denounced the removal of trees that cooled the new capital city as “a crime little short of murder,” Jill Jonnes wrote in her book, “Urban Forests,” city slickers have fought to defend the little green space they get.

Rock Creek Park in the District of Columbia, Central Park in New York, Piedmont Park in Atlanta, Griffith Park in Los Angeles, and Golden Gate Park in San Francisco are examples of urban forests that are fussed over, pampered and protected by law. They are also cherished gathering places that help define their cities.

The remote areas that Americans have come to know as wild lands are being whittled away by farms, development and wildfire, particularly in the West, Mountrakis said. Arizona, Colorado and Nevada saw significant attrition or separation of forests, according to the satellite images.

In California and Colorado, trees stressed by drought are being eaten to death by beetles, standing dead on mountainsides by the hundreds of millions, virtual ghost forests. Ecologists argue whether fires that might consume them are a good or bad thing, in that it would kill the beetles yet threaten homes too close to the forest edge. Human development is another grim agent of tree canopy loss.

The researchers said they hope public land managers, such as the U.S. Forest Service and Bureau of Land Management, along with officials at the state level, will pay attention to their research. They hope to follow up the study with research into the drivers behind the loss of forests.

But the pictures don’t lie, he said. There’s no doubt that huge clumps of trees are disappearing.

“You can think of the forests as little islands that the birds are hopping from one to the next,” Mountrakis said. The loss of forests has side effects. It alters the local climate, decreases biodiversity and leads to soil erosion. “This is the major driver — we can link the loss of the isolated patches to all these environmental degradations,” he said.

The study tracked the loss of forest by calculating the distance to the nearest forest from all points on an area map, Mountrakis said. They noticed that some chunks of tree space disappeared within a forest, but that has less of an environmental impact as forests that wither on the edge, slowly transforming them into islands.

Climate Change Tied To Nation’s Infrastructure Needs (The Hill)

By Rep. Raúl M. Grijalva

The Hill, February 22, 2017

In what’s become a troublingly common occurrence, the combination of extreme weather and crumbling infrastructure threatened the residents of another American community in California not long ago. Extensive rainfall in Northern California damaged the spillway of the Oroville Dam – the nation’s tallest – and threatened numerous communities below the dam with massive flooding.

As The Atlantic reported on Feb. 13, “drought, climate change, and aging infrastructure combined to create a looming catastrophe.” Nearly 200,000 residents were forced to flee their homes. Families scrambled to find shelter, gas stations were gridlocked, and stores ran low on supplies. Residents, given mere minutes to evacuate, worried whether their homes would be standing by week’s end.

It now appears this crisis was averted, but these kinds of weather extremes and their impacts on our aging infrastructure are becoming more and more common, and the causes are not mysterious. Scientists are documenting a rise in extreme weather events across the United States in response to a warming climate, and Congress has failed to make needed investments in our infrastructure for decades.

What we saw in Oroville should push Congress to understand not just why our infrastructure – the humble roads, dams and bridges we keep hearing about – needs a massive upgrade, but why the risks to that infrastructure are getting worse. Building taller dams or replacing washed-out roads without acknowledging why they keep failing is a recipe for very expensive disasters.

In 1980, when the federal government began collecting data on the number of billion-dollar climate disasters every year, there were only three with losses exceeding $1 billion. In 2016, there were 15 climate disaster events with losses exceeding $1 billion across the United States.

Climate change does not just mean more days with record high temperatures. It means all kinds of extreme weather events will become more frequent and more severe as the planet continues to warm. Floods will become more devastating. Wildfires will burn hotter. Droughts will last longer and affect new areas.

Those fleeing the possible flooding in California were by no means the first climate refugees. Over the past 10 years, the Isle de Jean Charles community in Louisiana has lost two-thirds of its residents to dislocation because of rising sea levels. On Washington's Olympic Peninsula, the Quinault Indian Nation must rely on a 2,000-foot-long sea wall for protection until it can complete its move uphill. In Alaska, climate change flooding and shoreline erosion already affect more than 180 villages, 31 of which are in "imminent" danger of becoming uninhabitable.

If we continue with business as usual, roughly 13 million Americans could become climate refugees by the end of the century. Avoiding this future for our kids and grandkids will require the United States to take decisive action now. Unfortunately, standing in the way is a fact-averse President Trump who calls climate change a Chinese hoax and a Republican Party addicted to campaign contributions from the oil and gas industry.

Just this month, Republicans on the House Natural Resources Committee voted against even acknowledging that human activity is a major contributor to climate change. As long as Republicans in Washington decide they would rather do the bidding of the same old corporate interests and big oil lobbyists than work with Democrats to reduce carbon pollution, climate change will continue to get worse.

More than 70 percent of Americans acknowledge that global warming is happening and more than 90 percent of published climate scientists believe human activity is the primary cause. Scientists tell us that carbon pollution is causing the climate to change 170 times faster than natural forces. Yet President Trump and Republicans in Congress continue to ignore the problem and push an extreme agenda that tips the scales on behalf of the fossil fuel industry and special interests.

It's long past time to get past phony debates about the existence of climate change and get to work on serious climate solutions. This will mean establishing pollution limits and moving away from dirty energy sources that pollute our climate, air, and water.

And if the Trump administration is serious about a bipartisan infrastructure package, they and Congressional leaders must be willing to invest real money and admit that our changing climate is one of the most serious challenges we face. The longer we wait, the more we can get used to seeing the sights we witnessed in California.

Grijalva is ranking member of House Natural Resources Committee and represents Arizona's 3rd District.

The views expressed by this author are their own and are not the views of The Hill.

From: Welch, Randy
Sent: 24 Jan 2017 13:02:14 -0500
To: R8 All Hands
Cc: (b)(6) (b)(6)@state.co.us; (b)(6)@mail.mil (b)(6)@mail.mil; (b)(6)@nd.gov; (b)(6)@state.sd.us; (b)(6)@state.sd.us; (b)(6)@utah.gov (b)(6)@wyo.gov (b)(6)@acf.hhs.gov (b)(6)@usace.army.mil; (b)(6)@usace.army.mil; (b)(6)@state.mn.us;Peterson, Mark J; (b)(6)@hhs.gov (b)(6)@hhs.gov; (b)(6)@hhs.gov (b)(6)@sba.gov; (b)(6)@sba.gov;Nelson, Jason (b)(6)@fs.fed.us;Alexander, Daniel
Subject: FEMA Region VIII news clips for Tuesday Jan 24

Region VIII Clips

Tuesday, Jan 24, 2017

ANALYSIS

- *Colorado:* The Colorado Springs mayor may ask for less of the city's surplus to be used to solve its stormwater issue with Pueblo, instead proposing that some of the surplus be returned to taxpayers.
- *Montana:* The state's new insurance commissioner urged residents to get flood insurance before the spring thaw.
- *North Dakota:* A wide variety of media across the state picked up the news that President Trump was to sign an executive order to advance construction of the Dakota Access and Keystone XL pipelines. The Reuters story below says it is not clear if that order would supersede the decision by the Corps of Engineers to do another environmental assessment. … Three key reservoirs on the Souris River are already in compliance with their prescribed levels for February. The National Weather Service will issue a flood outlook on Friday.
- *South Dakota:* Two stories pick up on the press release from Governor Daugaard's office to report on his request for a Presidential disaster declaration for the late December storm.
- *Utah:* A winter storm snarled traffic and created avalanche danger. Storm warnings remained in effect into Tuesday morning.
- *Wyoming:* A long story in the *Wyoming Tribune Eagle* discussed the proposed West Edge project in Cheyenne, which ties a stormwater/flood mitigation project to economic development. A $3 million FEMA Pre-disaster Mitigation grant played a key role in the project. .. A web site reports that former North Dakota Governor Jack Dalrymple asked Wyoming via EMAC for riot police to help with the South Dakota pipeline protests.
- *Other FEMA-related stories:* A new weather satellite has produced spectacular images.

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Trump to sign orders for Keystone, Dakota Access pipelines (Reuters)

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North Dakota Allegedly Asked Wyoming For Riot Squads To Put Down 'Civil Unrest' At Pipeline Protests (The Daily Caller News Foundation)

FEMA-RELATED STORIES
You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

The First Images from the New Weather Satellite Just Arrived, And They're Absolutely Incredible (Washington Post)

STORIES

COLORADO:

Mayor changes plan for city's $9 million surplus (KOAA TV, Colorado Springs)

Posted: Jan 23, 2017 6:42 PM MST

By Greg Dingrando

COLORADO SPRINGS - Colorado Springs Mayor John Suthers has made a change to his plan on how to spend the city's $9 million surplus.

With the TABOR law, how to spend the money will ultimately be up to the voters, but the city can request to use it.

Originally, if he got voter approval, the mayor was wanting to spend all of the money on storm water improvements. But the alternative option of $50 in pocket would have likely been more appealing to voters.

With Colorado Springs' ongoing flood issues and looming lawsuits from Pueblo, the decision was pretty easy for some voters.

"I'd say fix the storm water," resident Craig Lindal said "I'd go with storm water. Help get more drains in so there's not as much floods and stuff," resident Juan Lopez said.

But there are plenty of others that want to take the money and run.

"I need the money. I want the money," another voter said. "I could put gas in my car, groceries in my house, lots of different things," resident Joseph Ward said.

Mayor Suthers said he recognized that divide and made the adjustment.

"We think we should split it. We don't think we should keep the whole thing, even though that would obviously help in the storm water deal," Suthers said.

Suthers proposed the city should get $6 million for storm water and the remaining $3 million plus will go back to the voters.

"I think its also nice to reward consumers spending that money and refund as much as we can," Suthers said, all while addressing what he calls the city's top priority. "This allows us to make investment in an area we have significant legal problems and hopefully solve that problem."

Suthers said it could also protect the city down the road. For the next five years the city has to pay $17 million a year on storm water to avoid getting sued. Suthers said using money from the surplus will save general funds in the future.

"Being able to apply the $6 million now in good times to save and invest that will shield us from having to make any cuts if there's a downturn a couple years from now," Suthers said.

The council will vote on the proposal Tuesday to put it on the April ballot. Either way, voters are in a pretty good position. If they say no to the city, roughly $50 will go back to each household through a utility bill reduction. If voters say yes, the city gets $6 million for storm water and each household would get about $20 back.

MONTANA:

Montana's New Insurance Commissioner Urges Residents To Get Flood Insurance Before Spring Thaw (KGVO, Missoula news/talk radio)

By Peter Christian January 23, 2017 6:28 PM

Montana's new State Auditor and Insurance Commissioner is rancher Matt Rosendale, a man who has lots of personal experience with flooding.

"Our ranch is right on the Yellowstone River over by Glendive," Rosendale said. "Obviously it's been collecting water and ice for 600 miles before it gets to our place, and all that ice gets caught in a turn in the river and it can flood the surrounding area in a big hurry. Folks need to be aware of that and they themselves stay out of harms way, but to also protect their homes with flood insurance."

Rosendale said homeowners are mistaken if they think their hazard insurance covers flooding. "It does not," he said. "Unless you have specifically invested in national flood insurance. They need to contact their current insurance agent to make sure they have invested in a flood insurance rider to make sure that you're covered. It is a separate policy."

Flood insurance policies typically do not take effect until 30 days after purchase, making advance planning critical for properties at risk of flooding.

Flood insurance is available in most parts of Montana through the Federal Emergency Management Agency's National Flood Insurance Program, and private flood insurance plans may also be available.

For more information about flood insurance in Montana, visit the commissioner's website at csimt.gov/your-insurance/flood or go to floodsmart.gov. The commissioner's office can also be reached at (406) 444-2040 to answer questions.

NORTH DAKOTA:

Trump to sign orders for Keystone, Dakota Access pipelines (Reuters)

By Steve Holland / Reuters Today at 9:57 a.m.



WASHINGTON - President Donald Trump will sign two executive actions on Tuesday, Jan. 24, to advance construction of the Keystone XL and Dakota Access pipelines, an administration official said, rolling back key Obama administration environmental policies in favor of expanding energy infrastructure.

The orders would be a bitter defeat for Native American tribes affected by the $3.8 billion Dakota Access line as well as climate activists after months of protests successfully delayed the Dakota project.

Energy Transfer Partners shares rose 2 percent in U.S. trading to $36.45 a share. Oil producers in North Dakota's Bakken region would likely benefit from transporting oil to the U.S. Gulf Coast through the 1,172-mile pipeline.

The Standing Rock Sioux Tribe, whose reservation is adjacent to the proposed Dakota pipeline, won a key victory when the U.S. Army Corps of Engineers in early December turned down ETP's request for an easement to tunnel under the nearby Missouri River.

Most of the pipeline was complete by the summer of 2016, except for a small section under Lake Oahe, a reservoir that forms part of the river.

The Army later said it would begin an environmental assessment that could delay the project further. It was not clear if Trump's expected order on Tuesday would supercede that move.

Standing Rock officials were not immediately available for comment.

Trump on Monday met with leaders of labor unions, including the Building and Construction trades group and the Laborers International Union of North America, who have been vocal supporters of both pipeline projects.

Both groups had endorsed Trump rival Hillary Clinton in the 2016 U.S. election, but disagreed with her opposition to the Keystone pipeline.

Former President Barack Obama rejected Transcanada Corp's Keystone XL oil pipeline, which would bring Canadian crude from Alberta into the U.S. Gulf, in 2015 after environmentalists campaigned against the project for more than seven years. Transcanada declined to comment. TransCanada shares rose 1.1 percent to hit their highest since September, but pared gains to last trade up 0.8 percent at C$63.30 on the Toronto Stock Exchange.
Trump's action, which comes in his fourth full day in office, would benefit producers concerned about limited pipeline capacity bringing oil to market from both North Dakota and Canada. U.S. oil production boomed in recent years and has resulted in fewer foreign imports of crude oil.

Souris River reservoirs are at the prescribed levels for Feb. (Minot Daily News)

It is never to early to prepare for the spring run-off season. Three key reservoirs on the Souris River Basin are already in compliance with water levels as prescribed by the International Agreement governing the operation of the reservoirs.

“We were at our February 1 target elevation this morning,” said Tom Pabian, Upper Souris national wildlife manager on Monday. “We’ll continue to lower Lake Darling at a slow to moderate rate.”

The Fish and Wildlife Service manages Upper Souris NWR, which includes Lake Darling. Lake Darling was at 1,595.99 feet early Monday afternoon and will likely drop another half a foot by Feb. 1. If so, that would put the lake about half a foot less than the 1,596 level as required by the International Agreement.

“We’ve got about 45 cubic feet per second coming in and 120 cfs going out,” explained Pabian. “The main point is we are letting out more water than is coming in and the lake is slowly going down.”

The water entering the north end of Lake Darling is coming from releases at Alameda Dam near Oxbow, Saskatchewan. Alameda is fed by Moose Mountain Creek, a major tributary of the Souris. The water level of Alameda was 1,840.48 feet Monday, slightly below the Feb. 1 target elevation of 1,840.64 feet.

Rafferty Reservoir, located on the Souris River at Estevan, stood at 1,801.47 feet Monday. The Feb. 1 target elevation for that impoundment is 1,802.90 feet. Rafferty has been below its allowed operating level throughout the winter.

The Saskatchewan Water Security Agency is expected to release their first run-off outlook of the season on Feb. 1. The National Weather Service is scheduled to issue their January Flood Outlook on Friday.

The International Souris River Board will hold a conference in Regina, Sask. on Thursday, Feb. 23 where they will examine the latest available data on snowpack, soil conditions and other factors of importance regarding spring snowmelt run-off. The group will use the information to determine whether or not 2017 will be declared a one-in-10 years run-off event for the Souris

River Basin. If a one-in-10 event is declared, the U.S. Army Corps of Engineers will assume operation of Lake Darling Dam.

SOUTH DAKOTA:

Gov. Daugaard requests Presidential Disaster Declaration for December storm (KSFY TV, Sioux Falls)

PIERRE, S.D. – According to the Department of Public Safety, Gov. Dennis Daugaard Monday requested a Presidential Disaster Declaration to help South Dakota recover from a late December storm that did more than $9.1 million in damage to public property.

The request covers public assistance in 24 counties -- Butte, Clark, Codington, Day, Deuel, Dewey, Edmunds, Fall River, Faulk, Grant, Haakon, Hamlin, Harding, Jackson, Jones, Marshall, McPherson, Meade, Pennington, Perkins, Roberts, Stanley, Sully and Ziebach. Also included is the Cheyenne River Sioux Tribe within Dewey and Ziebach counties and the Oglala Sioux Tribe within Jackson County.

The DPS said that in a letter to President Donald Trump, Gov. Daugaard says the storm started Dec. 24 and continued through Dec. 26. Blizzard conditions, high winds and freezing ice led to broken power poles, downed electrical lines and stranded motorists. Three deaths were associated with the storm.

“County and city governments were overwhelmed by the blizzard conditions and ice accumulations and struggled with maintaining accessibility for emergency traffic during the snowstorm,” Gov. Daugaard wrote the President. “When emergency officers responded to 911 callers, it took hours and a great deal of snow removal or specialized snow equipment to reach them.”

Earlier this month, Gov. Daugaard had requested that FEMA help the South Dakota Office of Emergency Management verify the public property damage information provided by the counties. That work was done last week.

The DPS said Gov. Daugaard stated in his letter that the state has responded to six previous Presidential Disaster Declarations since 2013. The Governor said the state still is working through the recovery process from those six disasters with FEMA.

“As you understand, recovery from disasters takes years after the initial event to fully recover physically, emotionally, and financially,” wrote the Governor. “This severe winter storm event impacted many of the same rural electric cooperatives as in the 2010 and 2013 disasters, which are still dealing with the financial ramifications and hardships from those events.”

The DPS said the request is necessary for federal disaster funds to be made available to South Dakota. If the President grants the declaration, up to 75 percent of eligible costs could be

reimbursed by the government. The Governor's request does not guarantee that funding will be made available to South Dakota.

Daugaard Seeks Presidential Disaster Declaration For Christmas Storm (KCSR radio, Chadron, NE)

PIERRE, S.D. (AP) - South Dakota Governor Dennis Daugaard has requested a Presidential Disaster Declaration to help with recovery from a late December storm that killed 3 people and did more than $9.1 million in damage to public property.

The request covers public assistance in 24 counties including Fall River, Pennington, and Meade as well as for the portion of the Pine Ridge Reservation in Jackson County.

Gov. Daugaard says verification of public property damage information provided by the counties was completed last week by the state Office of Emergency Management, assisted by FEMA. The request is necessary for federal disaster funds to be made available to South Dakota, but doesn't guarantee it. If the President grants the declaration, up to 75% of eligible costs could be reimbursed by the federal government.

In a letter to President Trump, Daugaard says the storm that began Christmas Eve and continued through the 26th with blizzard conditions, high winds and freezing ice led to broken power poles, downed electrical lines and stranded motorists.

Daugaard stated in his letter that the state has responded to six previous Presidential Disaster Declarations since 2013 and is still is working through the recovery process from them with FEMA.

UTAH:

Avalanche Warning, 20-plus Fender Benders In Salt Lake Area (AP)

Associated Press, January 23, 2017

SALT LAKE CITY (AP) – A winter storm packing heavy snow and high winds has prompted an avalanche warning in northern Utah and snarled traffic on icy roads across much of the state.

The Utah Highway Patrol responded to nearly two-dozen fender benders in the Salt Lake City area during Monday morning's commute but no injuries were reported.

Winds gusting to near 50 mph battered the mountain ranges from north to south late early Monday.

A foot or more of new snow is forecast by late Monday night, with up to 5 inches in the valleys.

The avalanche warning includes the Wasatch Range, Bear River Range and parts of southeast Idaho.

A winter storm warming remains in effect until 4 a.m. Tuesday from Logan south through Ogden, Salt Lake City, Park City, Provo, Cedar City, Bryce Canyon and Zion National Park.

WYOMING:

Cheyenne's West Edge: Past, present and future (Wyoming Tribune Eagle)

- By James Chilton, Wyoming Tribune Eagle
- Jan 16, 2017



- Cheyenne Metropolitan Planning Organization/Courtesy

This artist's rendering of the old steam plant at Snyder Avenue and 17th Street gives an idea of what phase two of West Edge improvements might look like. The city's part would be building the tree-lined pedestrian path and green space on the right side of the picture, while private investors would rehabilitate the old steam plant, building upon the city's initial investment.

CHEYENNE – Following years of planning, design, public input sessions and fiscal wrangling, the stage is set for 2017 to be a pivotal year for Cheyenne's West Edge initiative.

For the uninitiated, the West Edge initiative is a long-range effort by the city to provide new infrastructure and quality-of-life projects to the western portion of the downtown area. By using a seed of taxpayer funding now, the city hopes to eliminate some of the biggest roadblocks to private development in the West Edge: historic flood risk, lack of modern amenities and an industrial infrastructure that is poorly suited to pedestrian or bike traffic and outdoor events.

Once those roadblocks have been addressed, the working theory is that private investors will take over where the city leaves off, buying up decaying or vacant properties and repurposing them for any of a variety of uses: restaurants, a brewery, or high-tech commercial businesses, to name a few.

But it will ultimately fall to the city to take the first steps toward realizing the West Edge vision. And while the going has been steady, deliberate – perhaps even slow – the first phase of West Edge development will finally become a reality this year, even as voters contemplate whether to keep the initiative going.

THE BEGINNING

Before he left the city at the end of December, former Cheyenne Planning Director Brandon Cammarata explained the West Edge's first steps. It began as an idea for providing better stormwater controls for the downtown area – portions of which were devastated by a flood in 1982 and which still remain susceptible to the same.

"People aren't going to want to invest money in properties there if they know they're eventually going to get flooded out," Cammarata said.

So began the first phase of planning for what would become the West Edge initiative: It started with the simple premise of putting in new drainage interceptors and retention areas to lessen the likelihood of a major flood. But it didn't stop there.

"You also think about, what else is important in the downtown? And most people think having a level of open space, of green space in the area, is an important feature," Cammarata said.

"So when you look at flood control, you also look at the opportunity to have some open spaces there," Cammarata said.

In August of 2012, the city went to voters to request $4.8 million in sixth-penny sales tax revenues to that end. At the time, this newspaper referred to the request as being for a "downtown flood control project, including large storm sewer mains, wetlands and water detention."

It wasn't until one month later – after the ballot initiative was approved – that the term "West Edge" first entered the city's lexicon. With the $4.8 million approved, the city wanted to figure out just how far people wanted to take it, and launched a website to solicit the public's ideas for what they'd like to see.

"That got the ball rolling in terms of us being able to get out there and talk to the public about this idea," Cammarata said.

"What's it going to take to entice reinvestment into the West Edge, what are the barriers to reinvestment?"

From those responses, and working among themselves and with outside consultants, city planners came up with three key ideas for the West Edge's first phase: The 26th Street Interceptor, the Civic Center Commons and Pumphouse Park.

THE DRAWING BOARD

Each of the three projects has a practical purpose, first and foremost: getting water out of the streets, giving it more places to go and cleaning it up before it continues downstream.

The 26th Street Interceptor tackles the first of these goals. Though the least visible of the three projects, it may also be the most important in terms of what it sets out to do.

Put simply, the 26th Street Interceptor proposes putting a series of large stormwater pipes under the road – starting around 26th Street and Carey Avenue, then proceeding west to Bent Avenue, then south to 23rd Street.

From there, the pipe would split, with one section going two blocks south to Civic Center Commons, and the other turning west again to connect up with an existing stormwater pipe beneath Snyder Avenue.

Cammarata said, generally speaking, whenever it rains in Cheyenne, the stormwater flows south and east, roughly following the path of Randall Avenue. But currently the stormwater pipes in the area are too small to handle particularly heavy storms, and once those pipes are at capacity, the water has nowhere else to go but down the street.

"The problem is, when it keeps coming, the railroad (south of Lincolnway) acts as a dam," Cammarata said. "The interceptor would take some of the water that crosses 26th Street, catch it and put it in stormwater pipes, and then discharge that into Crow Creek."

In other words, the interceptor would serve as somewhat of a release valve for the downtown area in the event of a severe rainstorm, which is also the intended purpose of the Civic Center Commons, albeit in a slightly different fashion – while the interceptor will redirect stormwater, it doesn't do much to actually slow it down. That's where the Civic Center Commons comes in.

The commons is slated to go just west of the Cheyenne Municipal Building at 2101 O'Neil Ave., replacing an existing city parking lot. Its primary purpose is to serve as a detention pond – a large, sloping basin for excess rainwater to go.

But while the 26th Street Interceptor is strictly utilitarian, the Civic Center Commons has also provided planners the opportunity to address some of the quality-of-life concerns they've received from the public.

"When we were first talking about the (2012) sixth-penny initiative and why folks might be encouraged to vote for it, we were talking out opportunities to manage stormwater, as well as to leverage opportunities to further encourage economic development," Cammarata said.

The park is being designed so that, when it's not raining, it can provide a venue for a wide range of public events, from food truck rallies and farmers' markets to an outdoor movie or concert venue, complete with an amphitheater, step-seating and patio-like corners.

Pumphouse Park, meanwhile, has less to do with controlling water and more to do with cleaning it. The park, slated to go on a vacant lot south of West Lincolnway and just east of the Ames Avenue underpass, is designed to remove sediments from stormwater that collect as it flows through the downtown area.

The park includes a concrete grit chamber built into an existing 80-inch stormwater pipe so that when it rains downtown, water will be rerouted into a forebay and adjoining wetlands area. As the water meanders through various wetlands plants, microbes and ultraviolet radiation from the sun are expected to kill most of the E. coli bacteria in the water, while the grit chamber will help remove sediments before they discharge into Crow Creek.

As with the Civic Center Commons, Pumphouse Park has a dual purpose, providing both stormwater treatment and a pleasant park experience, with riparian plants designed to provide habitat for birds and animals. It will also include a gravel parking lot, a pedestrian bridge and a concrete bicycle path, as well as a raised sitting area where people could watch wildlife or passing trains from the nearby railroad tracks.

FUNDING, TIMELINES

While all three projects have been shaping up nicely during the last few years, none of them has actually been built yet. That's due to change this year, but in the meantime the city has also been finding ways to pay for all these projects, which easily exceed the $4.8 million voters approved for them in 2012.

"Controlling floodwaters, in and of itself, has an element of economic development opportunity if you're reducing risk," Cammarata said. "And being able to leverage additional things above and beyond what the sixth-penny ballot initiative was were opportunities we pursued."

Since the 2012 ballot initiative, Cammarata said the city was able to grow the initial $4.8 million into more than $14 million, thanks to a host of grants from local, state and federal sources.

Even before the sixth-penny ballot was approved, Cammarata said the city pursued and secured a $1 million Environmental Protection Agency grant in 2011 to pay for brownfield assessment – brownfields refer to former industrial or commercial sites where future use is hampered by real or potential environmental contamination, which is a concern for the once industry-heavy West Edge.

Using that money, Cammarata said the city was able to perform assessments on 28 properties in the West Edge, all the while developing further ideas for the sixth-penny ballot and what sorts of commercial and residential development were possible in the area.

Following the first EPA grant, Cammarata said the city also secured a second million-dollar Revolving Loan Fund Cleanup grant – augmented by a $200,000 match from the 2012 sixth-penny measure – meant to help people clean up their properties if they were found to be contaminated.

To date, Cammarata said none of that money has been used yet, since the city's emphasis has shifted to completing the three main West Edge projects. But as construction on those begins, he's hopeful that the city can renew its efforts to work with property owners to help get their land cleaned up.

"I'd been working on the West Edge a lot of my time the last 15 months, and a lot of that has been about keeping Civic Center Commons and Pumphouse Park moving forward," Cammarata said. "But we were hoping to get the revolving loan fund picked back up (this coming) summer, talk to more people, and try to figure out what's going to make this program work for them."

Other grants leveraged from the sixth-penny ballot include $135,225 in Housing and Urban Development block grants for property acquisitions, $450,000 from the Wyoming Nonpoint Source Task Force for stormwater management and green space creation at Pumphouse Park, and $1.7 million in federal Economic Development Administration funds to help pay for the 26th Street Interceptor.

Along with that latter grant, the state has also provided a $1.4 million match for the interceptor, coming from Wyoming Countywide Consensus Grants funding.

And the biggest grant to date has been $3 million from FEMA for flood control at Civic Center Commons.

"FEMA calls it 'pre-disaster mitigation' funding, and it's the largest grant they give in that sort of category," Cammarata said. "In order to get a grant of that nature, we had to show a high level of benefit to our community, as it's a highly competitive grant."

The necessity for the FEMA grant had been questioned by some engineering staff, after engineering spearheaded an unrelated stormwater interceptor project on 19th Street. Cammarata said the city came back to FEMA last summer to go over Civic Center Commons once more, to ensure the project was still needed.

"It took three to four months to redo the whole cost-benefit ratio and run that through again, and they still identified we have the grant for up to $3 million, so long as it's all used on stormwater costs," he said. "We got final approval in early December."

With all the funding secured, the question remains: four and a half years after the sixth-penny vote, where are the projects? And that, again, is where 2017 plays a pivotal role in the West Edge's development.

Before leaving the city, Cammarata anticipated that this is the year that all three projects will finally see construction. Pumphouse Park will be the first, as the city is already soliciting bids for that project, and it must be completed by early summer in order for the city to meet its grant requirements and deadlines.

The 26th Street Interceptor will likely be next, with Cammarata expecting it to go out for bid sometime this spring.

And then there's the Civic Center Commons.

Had he stayed on with the city, Cammarata said his plan was to continue with design in time to put the project out to bid by fall of this year.

"We're probably at about 35 percent or less design, and my plan was to really get into the design full bore over the course of the next few months," he said.

And while Cammarata has since been replaced by interim planning director and city engineer Jim Voeller, the Cheyenne City Council recently endorsed Cammarata's timeline, approving a resolution in which council members declared their desire to see Civic Center Commons proceed as originally planned.

PHASE TWO

But while the first phase of West Edge development will finally come to fruition this year, the city is not content to rest on its laurels.

Instead, it's asking for an additional $4 million in sales tax dollars in the upcoming sixth-penny election, tentatively scheduled for this May.

As was the case with the 2012 initiative, city planners do not have a precise idea of specific projects that the next ballot initiative may pay for. That would likely be determined just as it was the first time, by soliciting community input and working with stakeholders to figure out the best plan for the area.

With that said, however, Tom Mason, the director of the Cheyenne Metropolitan Planning Organization, said he expects the second phase of the West Edge to see a major pivot away from stormwater controls and toward economic redevelopment.

"Now that the (Pumphouse Park) wetlands is underway, and we hope the Civic Center Commons is underway with the funding in place to move forward, the next element of the West Edge the project management team thought we should focus on is the rail spur," Mason said.

He is referring to the railroad corridor stretching along Reed Avenue from Lincolnway in the south to 22nd Street in the north, where it bends and continues to the northwest.

A West Edge master land-use plan adopted by the city late last year identifies potential for a "Rail Line Sub-District" along the rail spur. The plan proposes the district be developed to provide amenities for mixed-use businesses, upper-story office and residential space, a pedestrian greenway and accessible parking.

"There are so many wonderful amenities up and down that rail corridor, from the old steam plant to the grain elevator and other warehouses," Mason said. "We feel if we develop a plan for this corridor, we need to prepare it so that we can figure out what the costs are and what are the options and things we could do in there."

If the first stormwater-related phase of the West Edge was about tilling the soil, then the second phase's emphasis on the rail corridor would be akin to planting the seeds – adding the needed infrastructure and quality-of-life amenities to set the stage for full-scale private investment to take root.

"With the first sixth-penny measure, we've addressed environmental, drainage and brownfields concerns, and now we're going to focus on the economic development of the West Edge by bringing this plan to a reality," Mason said. "But we have to do more detailed plans to know what it's going to cost, and surely the $4 million we're asking voters to approve this go-round isn't going to be enough – but it could be used as a match to other grants."

He noted that the first round of sixth-penny funding was leveraged into nearly triple the original amount, thanks to available grant funding and the city's aggressive pursuit of it. And once the city is able to see some of the first-phase projects through to completion, that could make it easier to secure additional grants with the second round of sixth-penny tax dollars.

"All the grants we've received up to now, they've all built off each other – grantors like the EPA, EDA, FEMA, they see others are approving the grants, and they're all on board," Mason said. "With this second phase, we see getting grants through the Federal Highway Administration. We see the type of grants that are being approved by the TIGER (Transportation Investment Generating Economic Recovery) program, and we think this could have a pretty good chance, since there's a big combination of different transportation modes, especially dealing with freight corridors, and the potential for economic development is huge too."

PRIVATE INVESTORS

For an idea of what sort of redevelopment is possible in the West Edge, one need look no further than to Dave Teubner and Dean Dexter of Warehouse Twenty One.

The two founded their business, a full-service marketing firm, in late 2006, well before the West Edge vision came together. In early 2007, Dexter and Teubner moved their business into a warehouse at 822 W. 23rd St., smack in the middle of the West Edge district.

In the years since then, the business has grown from three employees to 32 and has expanded its customer base well beyond Cheyenne's boundaries to include multinational firms like Lenovo. And as their business has grown, Dexter and Teubner have also reinvested in their building, buying it outright in 2010 and overhauling it into a hip workspace that blends modern furnishings with the building's original brick bones.

Now, the two are hoping to expand their operations by building a new combination office space and technical center several block south of their current location. That's the plan, anyway, but those plans will also depend, in part, on whether Cheyenne and its voters are willing to keep the West Edge project rolling along.

"We believe you do have to do infrastructure before you do sexy, so we're thrilled with the 26th Street Interceptor, the Pumphouse Park and the Civic Center Commons," Teubner said. "We're not disappointed, even, by the pace of it, necessarily. But each time the Civic Center Commons gets in trouble because of the planning and engineering department squabbles, our new investment is the one we're holding off on."

While they were among the first new businesses to develop in the West Edge, Dexter and Teubner believe they'll be far from the last, provided second-phase plans for the rail spur go through. While the possibilities are endless, the two are particularly excited about the prospect of getting more high-speed fiber-optic cable run through the corridor, which would provide a major boon to any burgeoning tech sector.

"Inclusion of fiber, that's almost the top priority; that and having really nice open space," Dexter said. "I have to believe any other tech business is going to feel the same way. The harsh reality is that with this business ... the type of people we want highly value open space, walking paths, places they can get out and be outside."

While many of Warehouse Twenty One's employees are Cheyenne natives, Teubner said he's proud to say his last seven hires have all been from out of the area, lured both by what his business does and what Cheyenne has to offer.

"They're young, talented, top of their industry, and they're in the industry of technology and design," he said. In other words, just the sort of economic diversification Cheyenne's leaders have long been talking about.

And while they've been less visible, other private investors have also been taking steps toward redevelopment along Cheyenne's rail spur. For example, Chet Halvorson and Craig Riley of West Edge Development Co. have continued to work with engineers, architects and the Wyoming Department of Environmental Quality on plans to renovate the former steam plant at 800 W. 17th St.

Dexter and Teubner said they've also been in contact with an investor who recently bought the old grain elevator at the northwest corner of Reed Avenue and 21st Street with plans to breathe life back into that building.

"These are local people. These aren't prospectors from outside, and these aren't cheap transactions," Teubner said. "These are local investments being made, and I think a lot of people are bullish about it, from our perspective."

"We're talking $15 million to $25 million of private investment that's on the precipice, that's ready to come in with this additional phase of West Edge development, and that's just what we know about," Dexter added. "I look at what they're asking for for sixth-penny investment and, man, that's nothing. The city would be stupid not to do it."

North Dakota Allegedly Asked Wyoming For Riot Squads To Put Down 'Civil Unrest' At Pipeline Protests (The Daily Caller News Foundation)

By Chris White

North Dakota's former Republican governor asked Wyoming Highway Patrol to send riot squads and cops with active shooter training to suppress violent anti-pipeline protests, according to documents obtained by a media advocacy group.

Former Gov. Jack Dalrymple asked Wisconsin for help dealing with "civil unrest" and "criminal activities related to opposition of the Dakota Access Pipeline (DAPL) project," according to public records communications obtained by Muck Rock.

The North Dakota Republican asked his Wyoming counterpart in a Emergency Management Assistance Compact (EMAC) request to send 40 officers to Morton County for assistance quelling what he deemed increasingly violent protests. An EMAC allows states to share valuable resources during emergency situations.

Dalrymple also a 40/37 mm chemical munitions launcher, which could have been used to discharge tear gas on anti-DAPL demonstrators. The Morton County sheriff's department used tear gas and high-pressured water hoses during November protests to disperse 400 "very aggressive" activists.

Anti-DAPL and Standing Rock Sioux members believe the line's construction would trample on tribal lands and potentially poison Lake Oahe. The pipeline's opponents continue to say the protests are largely peaceful and nonviolent.

Those responding to the governor's requests would be assigned to reconnaissance work, function as riot police otherwise known as mobile field force, or participate in Immediate Action Team (IAC), Dalrymple's office told Muck Rock. IACs are typically used in active shooter emergencies.

The Wyoming Highway Patrol has not responded to The Daily Caller News Foundation's repeated requests for comments, and The DCNF has been unable to reach Dalrymple to corroborate Muck Rock's reporting.

Law enforcement officers believe the federal government has purposely held back directing resources and crowd control support to the campsite. Some believe the Army Corps of Engineer's decision in December to reject the previously-approved DAPL came as a result of "backroom dealings" within the Obama administration.

Center for Individual Freedom in Virginia, for instance, filed a Freedom of Information Act request last week against Jodi Gillette — the sister of the Standing Rock's chairman, Dave Archambault II — seeking all communications between her and President Barack Obama regarding DAPL. Gillette was a policy adviser for the Obama administration from 2012 to 2015. Lee is trying to determine if Archambault had any communications about the project with Gillette prior to the Army Corps of Engineers' decision to halt construction pending an environmental impact review.

The National Sheriffs' Association suspected Gillette and Obama colluded to help energize the protesters. The group complained in October that Gillette's ties to the administration and the tribe helped prevent federal officials from helping control unruly protests.

Energy Transfer Partners, the company behind the DAPL, expects the line to create up to 12,000 construction jobs and provide millions in state and local revenues during the construction phase. The company's bottom line is taking a hit every day the project is offline — it is losing $20 million every day it is delayed.

FEMA-RELATED STORIES:

The First Images from the New Weather Satellite Just Arrived, And They're Absolutely Incredible (Washington Post)

By Angela Fritz

Washington Post, January 23, 2017

The satellite formerly known as GOES-R (so Prince, right?) has transmitted its first images back to Earth, and they are flooring. From the details on the face of the moon to the incredible resolution of cumulus over the Caribbean, these first pixels portend a sunny future for NOAA's new GOES-16 satellite.

Meteorologists are drooling. This release coincides with the first day of the American Meteorological Society's annual meeting. There are thousands of weather geeks in Seattle this week, and — at least on Monday — they're all looking at this next-gen satellite imagery.

As we've written before, GOES-R satellite has six instruments, two of which are weather-related. The Advanced Baseline Imager, developed by Harris Corp., is the "camera" that looks down on Earth. The pictures it sends back will be clearer and more detailed than what's created by the current satellites.

The ABI can scan half the Earth — or the "full disk" — in five minutes. If forecasters want to home in on an area of severe weather, it can scan that region every 30 seconds. Weather radars can't even scan faster than six minutes.

The other weather instrument, the Global Lightning Mapper, will continuously track and transmit all lightning strikes across North America and its surrounding oceans. Developed by Lockheed, it can detect the changes in light on Earth and thus the rate and intensity of lightning in thunderstorms and hurricanes.

GOES-16 is expected to go operational in November, approximately one year after its launch.

(Sample images can be seen at https://weather.com/news/weather/news/goes-16-first-images-noaa-nasa)

From: DeFelice, Jerome
Sent: 10 Nov 2016 15:13:10 +0000
To: Floyd, Megan;Stephenson, James R;Garcia, Carol
Cc: Greff, Stacie
Subject: Clip: Pine Ridge tribal

FYSA--Iâ€™ll include this in todayâ€™s clips.

Pine Ridge elects new tribal president

ℜ• Mike Anderson Journal staff
ℜ• Updated 8 hrs ago

PINE RIDGE | The upending of the political establishment carried over into another presidential race on Tuesday night, this one on the Pine Ridge Indian Reservation, resulting in the ousting of longtime Oglala Sioux Tribal President John Yellow Bird Steele and Vice President Thomas Poor Bear.

Unofficial election results show that Yellow Bird Steeleâ€™s opponent, Troy â€œScottâ€ Weston, won with 2,383 votes, or 66.2 percent of the total. Yellow Bird Steele, who has served seven terms over 14 years, lost with 1,215 votes, or 33.7 percent.

Vice President Poor Bear lost to challenger Darla Black, who received 1,826 votes, or 51.2 percent. Poor Bear received 1,740 votes, or 48.8 percent.

Voter turnout was down compared with the most recent tribal election in 2014, according to election commissioner Dorothy Brown Bear. Then, a little more than 4,000 of the 11,816 people registered to vote on the reservation turned out, whereas 3,598 turned out this year.

Neither Weston nor Yellow Bird Steele could be reached for comment.

â€œI think tribal membership wanted a change,â€ Brown Bear said.

That thirst for change was less apparent in some of the races for seats on the tribal council, though some fresh faces were added to the mix.

In the Pine Ridge District â€” the largest on the reservation â€” incumbent Richard Greenwald held his seat with 402 votes, or 22.5 percent of the total 1,785 people who voted there.

"Iâ€™m pretty thankful and very appreciative to my community for picking me to serve them for the next few years,â€ Greenwald said by phone Wednesday. â€œWe have a lot to work on and a lot to get done, and Iâ€™m just happy that they trusted me to do the job for them.â€

Greenwald said he would refocus his efforts on the council toward combating violence on the reservation.

â€œWeâ€™re seeing an influx in violence, and we need to make sure our health-care system and law enforcement can handle it,â€ he said.

Greenwaldâ€™s fellow incumbents in the Pine Ridge District also won re-election, including Ella â€œJohnâ€ Carlow with 321 votes, and Robin Tapio with 306. Challengers Sesalie Red Owl and Irving Provost lost with 262 and 218 votes respectively.

Both incumbents in the Wakpamni Lake District also won re-election, including Jacqueline Siers with 331 votes and Sonia Little Hawk-Weston with 265. Challengers Joni Tobacco and Jane Little Hawk-Rodriguez lost with 243 and 205 votes, respectively.

In the Eagle Nest District, incumbent Blaine Little Thunder also held onto his seat with 186 votes. Jim Meeks also won one of the two open seats in that district with 126 votes. Candidates who lost included Mavis Wilcox with 103 votes and Ruth Brown-Wright with 101.

Incumbent James Cross of the Pass Creek District won re-election with 141 votes, and Lydia Bear Killer won the second seat with 109 votes. Losing candidates included incumbent Ron Duke with 99 votes, Lawrence Swalley with 62 votes, and Joseph Reddest with 49.

In the Medicine Root District, incumbent Austin Watkins Sr. won re-election with 99 votes. The two other open seats went to Stanley Little Whiteman with 109 votes and Beau Little Whiteman with 141. Incumbent Chauncey Wilson lost with 49, as did challenger Mona Vocu with 62 votes.

Incumbent Floyd Brings Plenty lost re-election in the Oglala District, with 178 votes. He will be replaced by Valentina Merdanian, who received 240 votes, and Stephanie Leasure, who received 201. Valerie Janis lost with 135 votes.

Incumbent David Pourier won re-election in the Porcupine District with 194 votes. Philip Good Crow won the second seat with 198 votes. Incumbent Patrick Ross lost with 161 votes, and challenger James Twiss lost with 189.

In the Wounded Knee District, incumbent Collins â€œCJâ€ Clifford kept his seat with 189 votes. The second seat went to Garfield Apple with 155 votes. Former Oglala Sioux Tribal Police Chief Eugenio White Hawk lost with 127 votes, as did Lisa Jumping Eagle-Deleon with 154 votes.

Incumbent Craig Dillon in the Lacreek District won by acclamation with more than half the vote during the primary election in early October. On Tuesday night, candidate Cora White Horse won the second seat as district representative with 127 votes, or 56.19 percent of the vote.

Brown Bear said there are still 500 â€œchallengedâ€ votes that have yet to be evaluated. Challenged votes are votes cast by individuals whose membership in the Oglala Sioux Tribe has been questioned. Those votes will be vetted by the tribal enrollment office before they are included in any tallies, Brown Bear said.

The official election results will be released on Nov. 18, according to Brown Bear.

From: DeFelice, Jerome
Sent: 29 Dec 2016 15:52:02 +0000
To: Floyd, Megan;Stephenson, James R;Garcia, Carol
Cc: Dombrowski, Justin;Greff, Stacie
Subject: Clip: Tribal

Pipeline uncertainty illustrates broader concerns for tribes

- Associated Press
- Dec 25, 2016
-



- The Associated Press
FILE - In this Dec. 2, 2016, file photo, travelers arrive at the Oceti Sakowin camp where people have gathered to protest the Dakota Access oil pipeline as they walk into a tent next to an upside-down american flag in Cannon Ball, N.D. Some Native Americans worry the transition to a Donald Trump administration signals an end to eight years of sweeping Indian Country policy reforms. But Trump's Native American supporters said they're hopeful he will cut through some of the government red tape that they believe has stifled economic progress on reservations. (AP Photo/David Goldman, File)

- The Associated Press
For hundreds of protesters, it was cause to cheer when the Obama administration this month declined to issue an easement for the Dakota Access pipeline's final segment. But that elation was dampened by the uncertainty of what comes next: a Donald Trump-led White House that might be far less attuned to issues affecting Native Americans.

"With Trump coming into office, you just can't celebrate," said Laundi Germaine Keepseagle, who is 28 and from the Standing Rock Sioux Reservation, where the demonstrators have been camped out near the North Dakota-South Dakota border.

Anxiety over the 1,200-mile pipeline illustrates a broader uncertainty over how tribes will fare under Trump following what many in Indian Country consider a landmark eight years.

President Barack Obama has won accolades among Native Americans for breaking through a gridlock of inaction on tribal issues and for putting a spotlight on their concerns with yearly meetings with tribal leaders.

Under his administration, lawmakers cemented a tribal health care law that includes more preventive care and mental health resources and addresses recruiting and retaining physicians throughout Indian Country.

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The Associated Press
The Interior Department restored tribal homelands by placing more than 500,000 acres under tribes' control — more than any other recent administration — while the Justice Department charted a process approved by Congress for tribes to prosecute and sentence more cases involving non-Native Americans who assault Native American women. Before Obama, a gap in the laws allowed for such crimes to go unpunished.

In addition, the federal government settled decades-old lawsuits involving Native Americans, including class-action cases over the government's mismanagement of royalties for oil, gas, timber and grazing leases and its discrimination against tribal members seeking farm loans.

"In my opinion, President Obama has been the greatest president in dealing with Native Americans," said Brian Cladoosby, chairman of the Swinomish Tribe north of Seattle and president of the nonpartisan National Congress of American Indians, based in Washington, D.C. "The last eight years give us hope going forward with the relationships we have on both sides of the aisle."

Trump, meanwhile, rarely acknowledged Native Americans during his campaign and hasn't publicly outlined how he would improve or manage the United States' longstanding relationships with tribes.

His Interior secretary pick, Republican Rep. Ryan Zinke of Montana, sponsored legislation that he says would have given tribes more control over coal and other fossil fuel development on their lands.

But some of Trump's biggest campaign pledges — including repealing health care legislation and building a wall along the U.S.-Mexico border — would collide with tribal interests.

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FILE - In this Thursday, Dec. 1, 2016, file photo, Beatrice Menase Kwe Jackson, center, walks with Daniel Emory, both of the Ojibwe Native American tribe as they lead a procession to the Cannonball river for a traditional water ceremony at the Oceti Sakowin camp where people have gathered to protest the Dakota Access oil pipeline in Cannon Ball, N.D. Some Native Americans worry the transition to a Donald Trump administration signals an end to eight years of sweeping Indian Country policy reforms. Trump rarely acknowledged Native Americans during his campaign. And he hasn't publicly outlined since the election how he would improve or manage the United States' longstanding relationships with tribes. (AP Photo/David Goldman, File)

The Associated Press

In Arizona, Tohono O'odham Nation leaders have vowed to oppose any plans for a wall along the 75-mile portion of the border that runs parallel to their reservation. And the nonprofit National Indian Health Board in Washington says it's aiming to work with lawmakers to ensure the Indian Health Care Improvement Act remains intact.

The law, which guarantees funding for care through the federal Indian Health Services agency, was embedded in Obama's health care overhaul after consultation with tribes.

The government's role figures prominently in Native Americans' daily lives because treaties and other binding agreements often require the U.S. to manage tribal health care, law enforcement and education.

Some tribal members say they're unsure how much Trump understands or cares about their unique relationship with the federal government.

"I think there was a great hope that we had here in Indian Country with the direct dialogue that President Obama had established with tribal nations," said Duane "Chili" Yazzie, president of the Navajo Nation's Shiprock Chapter. "If a similar effort to communicate with us were carried on by the Trump administration, I would be surprised."

+

Though most reservations lean Democratic in presidential elections, Trump does have some supporters in Indian Country. They hope the businessman can turn around lagging economies in rural reservations, such as the 27,000-square-mile Navajo Nation, which covers parts of Utah, New Mexico and Arizona.

"Trump is pro-job growth, and tribes need a healthy dose of business creation," said Deswood Tome, a former spokesman for the tribe from Window Rock, Arizona. "To do that, a lot of federal barriers must be removed. We're the only ethnic group who have so much federal control in our lives."

The Dakota Access pipeline illustrates another chasm between Obama and Trump.

This fall, the pipeline dispute led Obama's administration to begin tackling a final piece of its Indian Country agenda: guidelines for how cabinet departments should consult with tribes on major infrastructure projects.

A top complaint from the Standing Rock Sioux was that the U.S. Army Corps of Engineers failed to properly consult with them before initially approving a pipeline route that ran beneath Lake Oahe, the tribe's primary source of drinking water.

After the administration halted construction on the project in September to review the complaint, it held seven meetings with tribal leaders and began drafting a report on how federal officials should consult with tribes.

U.S. Interior Secretary Sally Jewell said the report will be completed before Obama leaves office, and she expects it to have a lasting impact, even with an incoming administration that promises to undo some of the president's policies.

What's unclear is whether Trump, who once owned stock in the pipeline builder, will seek to reverse the Army's decision this month to explore alternate routes.

A spokesman said only that the president-elect plans to review the move after he takes office. However, Trump's transition team said in a recent memo to campaign supporters and congressional staff that he supports the pipeline's completion.

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FILE - In this Dec 4, 2016, file photo, Dan Nanamkin, of the Colville Nez Perce Native American tribe in Nespelem, Wash., right, drums with a procession through the Oceti Sakowin camp after it was announced that the U.S. Army Corps of Engineers won't grant easement for the Dakota Access oil pipeline in Cannon Ball, N.D. Some Native Americans worry the transition to a Donald Trump administration signals an end to eight years of sweeping Indian Country policy reforms. Trump rarely acknowledged Native Americans during his campaign. And he hasn't publicly outlined since the election how he would improve or manage the United

States' longstanding relationships with tribes. But Trump's Native American supporters said they're hopeful he will cut through some of the government red tape that they believe has stifled economic progress on reservations. (AP Photo/David Goldman, File)

The Associated Press
In the meantime, Standing Rock Sioux Chairman David Archambault has begun lobbying for a meeting with Trump to make a case for his tribe's opposition to the project, which the chairman says threatens not just water but sacred cultural sites.

"You have to respect Mother Earth; she's precious," Archambault said. "You can still believe in capitalism, and you can still invest in infrastructure projects, but these infrastructure projects should be focused toward renewable energy rather than fossil fuel development."

From: DeFelice, Jerome
Sent: 3 Feb 2017 21:11:27 +0000
To: (b)(6) @aveshka.com; (b)(6) @atf.gov
Subject: Clips: ND tribal

Iâ€™ve included a story that appeared in todayâ€™s clips followed by links to a few stories that appeared earlier this week. Added you to the Region 8 daily news distribution.

Thanks.

Tribal chairman decries Dakota Access protesters' new camp

- BLAKE NICHOLSON Associated Press
- 19 hrs ago

BISMARCK, N.D. | Dakota Access oil pipeline protesters who tried to set up a new camp on private land undermined the Standing Rock Sioux tribe's efforts to stop the $3.8 billion project, tribal Chairman Dave Archambault says.

Archambault in recent weeks has been pushing protesters to leave their flood-prone main encampment on federal land between the reservation and the pipeline route and asking that activism be spread around the U.S. He said efforts by some to establish a camp Wednesday on nearby higher ground "do not represent the tribe."

Authorities arrested 74 protesters, including American Indian activist Chase Iron Eyes, after they set up teepees Wednesday on land owned by Texas-based pipeline developer Energy Transfer Partners. Protesters said they were peacefully assembling on land they believe rightfully belongs to American Indians. The Morton County Sheriff's Office initially reported 76 arrests but later said two were protesters accused of unrelated drug offenses.

The new camp site was west of the main encampment that for months has housed hundreds and sometimes thousands of people who support the tribe's position that the pipeline threatens their drinking water and Native American cultural sites. The pipeline would carry oil from North Dakota through the Dakotas and Iowa to a shipping point in Illinois. The route would go under Lake Oahe, a large reservoir along the Missouri River. Energy Transfer Partners disputes the tribe's arguments and says the pipeline will be safe.

A few hundred people still remain in the main camp, which is being cleaned up this week in advance of spring flooding that could carry any remaining refuse into the Missouri River. Archambault in recent weeks has called for the camp to disband, and late Wednesday he urged people who have left to stay away.

"In these past few weeks at camp, I see no reflection of our earlier unity, and without unity we lose," he said.

Iron Eyes, who made an unsuccessful bid for Congress last fall, remained jailed Thursday and unavailable for comment, a spokesman said. Iron Eyes told The Associated Press last week that he and others feel a need to "keep up the pressure" because "right now the will of the public is being expressed by a president that does not represent the majority in this country."

President Donald Trump last month called on the Army to reconsider its earlier decision to block the pipeline from being laid under Lake Oahe. It's the last big chunk of construction for the pipeline, and work has stalled while ETP battles the Army Corps of Engineers in court for permission to proceed.

Acting Army Secretary Robert Speer on Tuesday ordered a review of the Army's earlier decision not to grant permission until more study was done. It's unclear how long the review will take, but U.S. Sen. John Hoeven told the AP that after a conversation with Speer, he's certain permission will be granted soon.

"The fight is no longer here, but in the halls and courts of the federal government," Archambault said.

After Wednesday's arrests, law enforcement allowed people in the main camp to come to the new camp site and remove the teepees, which American Indians consider sacred.

Dakota Access Battle Heading For Resolution, And More ...
Forbes-6 hours ago
The **Dakota Access Pipeline** will almost certainly be completed for the simple reason that there is no valid legal reason for it not to be. The right of way for the ...

More Than 70 Arrests In North **Dakota** As **Pipeline** Detractors Weigh ...
KUNC-20 hours ago
More than 70 people were arrested on Wednesday afternoon near the proposed route of the **Dakota Access Pipeline** in North Dakota, as Western lawmakers ...

American Indian activist arrested in **pipeline** protest
Valley morning Star-Feb 2, 2017
BISMARCK, N.D. (AP) â€" An American Indian activist who unsuccessfully ran for Congress last fall is among 74 **Dakota Access pipeline** opponents who were ...

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From: DeFelice, Jerome
Sent: 21 Sep 2016 17:36:40 +0000
To: Appenrodt, Kathleen
Subject: FW: Clip: ND tribal

From: DeFelice, Jerome
Sent: Wednesday, September 21, 2016 11:31 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Cc: Hunter, Cynthia (Cynthia.Hunter@fema.dhs.gov) <Cynthia.Hunter@fema.dhs.gov>; Stephenson, James R <James.Stephenson@fema.dhs.gov>; Garcia, Carol <carol.garcia@fema.dhs.gov>
Subject: Clip: ND tribal

Panel votes to borrow $6M for costs associated with pipeline protests, blasts feds inaction

By Mike Nowatzki Today at 12:18 p.m.

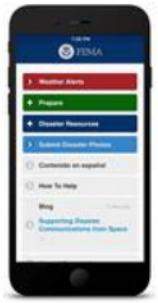


Demonstrators against the Dakota Access Pipeline south of Mandan, N.D., gather in opposition early this month. File photo.

BISMARCK — The state Emergency Commission voted Wednesday, Sept. 21, to borrow up to $6 million from the state-owned Bank of North Dakota to support law enforcement efforts

related to the Dakota Access Pipeline protests, but not before members blasted the lack of federal support to deal with protesters camped out on federal land.
"I know we have to do it, but it's not right, and the lack of federal involvement is disgusting," said House Majority Leader Al Carlson, R-Fargo. "And we need to protect our North Dakota people, but this is just plain wrong that they're ignoring this issue."
Maj. Gen. Alan Dohrmann, adjutant general of the North Dakota National Guard, said the state has spent $1.88 million on protest-related costs so far, the bulk of it personnel costs for assistance from the National Guard and law enforcement agencies from across the state. Morton County estimated last week it had spent about $400,000 on top of that.
The $6 million line of credit from the Bank of North Dakota will fund future efforts as authorized by Gov. Jack Dalrymple's emergency declaration Aug. 19. The Legislature will have to make a deficiency appropriation from the state's general fund to pay back the bank after lawmakers convene in regular session in January, Budget Director Pam Sharp said.
Authorities have responded to multiple protests at pipeline construction sites and in Bismarck-Mandan since protests began to ramp up in mid-August. They've also created a traffic checkpoint and increased patrols in Morton County, which they say are necessary for the safety of local residents, farmers and ranchers and the thousands of protesters camped out on U.S. Army Corps of Engineers land about 35 miles south of Mandan.
Last Friday, the Corps of Engineers issued a special use permit for protesters to use Corps land south of the Cannonball River but not the land north of the river where the majority of them are camping, because that land is subject to an existing grazing lease.
Carlson said it bothers him that it's "a federal problem that they've ignored" and the Legislature will have to cover the costs at a time of budget shortfalls. Rep. Jeff Delzer, R-Underwood, agreed.
"The taxpayers shouldn't have to be paying for this," he said.
Dalrymple said he's been in contact with the White House, U.S. Department of Justice, Corps of Engineers, Department of Interior and the state's congressional delegation but is still waiting to hear if they're going to help financially or with in-kind services.
"The problem that we have, of course, is that these public safety needs are imminent every day," Dalrymple said. "We really have no choice but to protect the public with law enforcement. Recovering funds from the federal government is definitely a top priority, but it undoubtedly will take some time."
The commission's other members are Secretary of State Al Jaeger, Rep. Jeff Delzer, R-Underwood, Sen. Rich Wardner, R-Dickinson, and Sen. Ray Holmberg, R-Grand Forks.

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From: DeFelice, Jerome
Sent: 22 Nov 2016 18:31:54 +0000
To: Hvinden, Brian
Subject: FW: Omdahl opinion piece

http://www.grandforksherald.com/opinion/featured-columnists/4153715-omdahl-north-dakota-must-resolve-pipeline-impasse

From: DeFelice, Jerome
Sent: 18 Jan 2017 15:25:53 +0000
To: R8 External Affairs
Subject: ND tribal

Tribe grabs break in weather in hopes of clearing out camp by Sunday

By Lauren Donovan / Bismarck Tribune on Jan 17, 2017 at 9:52 p.m.

CANNON BALL, N.D. — With the deepest winter snow piled up in years, the Standing Rock Sioux Tribe is doubling down on its message that it's high time for the anti-Dakota Access Pipeline campers to go home or move off the Cannonball River floodplain.

A tribal and camp meeting Tuesday at the Fort Yates administration building ended with a cleanup and evacuation plan that aims to take advantage of a break in the weather and get water protectors and protesters either out or on their way by Sunday.

The plan is to clear drifts of heavy snow from dedicated tribal acreage near the Cannon Ball town site, on the reservation, for people and structures. The site is about 3 miles from the main Oceti Sakowin and smaller Rosebud camps, both in the floodplain. They've been occupied since August by as many as 10,000 people opposed to the crude oil pipeline being built near the reservation.

Cody Two Bears, a tribal councilman, is leading the effort and said about 500 people remain in the camps, based on the latest count he had Tuesday. The Sacred Stone spirit is not included in the plan.

Two Bears said the tribe will help as much as it can and there may be a way for volunteers to get involved. He said the cleanup and evacuation plan is a cooperative one with camp leaders, who get the message that anyone who moves needs to be self-sufficient.

Anything left after the move will be considered abandoned property and subject to being cleaned up and removed, according to Two Bears, who added people who don't move will not be the tribe's responsibility.

"We want people to leave the floodplain, either go home or come to the new camp," said Two Bears, explaining that tribal law and codes will apply — one advantage of moving the camp onto the reservation. "There will be the force of law."

Doug Crow Ghost, director of the tribe's water resources, said the people are not being asked to leave the pipeline fight or to stop praying.

"They're being asked to leave an area that's going to get wet," said Crow Ghost, adding he would contact the U.S. Army Corps of Engineers, owner of the camp lands, so the agency is aware of the tribe's effort to clear the camps and prevent contamination of the flood water, if it comes.

He said the corps has been supportive of the tribe's position: "But we need to put our feet to the ground. People are coming with their hearts and prayers and, at the same time, the fight is not over, the camp has to go."

At Cannon Ball, Robert Fool Bear, the district chairman, said tempers are running high after the town and the community building were overrun with people from the camps, especially nearby Sacred Stone. He said the district has moved to evict camp media from occupying its gym and kitchen with a deadline set for Saturday.

"We want to see people go home. It's not a peaceful, prayerful camp anymore. We know that," Fool Bear said. "I think the services the tribe can provide for a winter camp are a lot more than we can."

Cyrille Autin, from France, has been living at Oceti Sakowin since September and helping with camp media work at the Cannon Ball building at night. He said he'll vacate the Cannon Ball building as asked. The Oceti Sakowin camp will be harder to leave, though.

"We love the Oceti Sakowin camp. There are different threats and the flood is just one. Dakota Access is still there and it's armed to the teeth with technology," Autin said.

Meanwhile, Tom Goldtooth, of the Indigenous Environmental Network, was over at the new winter camp area after the meeting, working out some details for getting snow cleared in the next few days. He said the idea is to set up a staging area so people can move their equipment and structures, while a more orderly camp with centralized kitchen, dining, water and sanitation services is organized.

"We're accepting the challenge to move people to higher ground," said Goldtooth, adding that people should be clear by Sunday whether they're leaving, or moving.

"It's not a statement of giving up. It strengthens the resilience of the water protectors and they'll be safe and warm," he said, looking out at the level area, where a few structures and trailers are already located. "It's a good site for a camp."

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From: DeFelice, Jerome
Sent: 1 Feb 2017 17:58:40 +0000
To: Greff, Stacie
Subject: RE: Clip: ND and DAPL

Oops. Minot Daily News.

From: Greff, Stacie
Sent: Tuesday, January 31, 2017 5:02 PM
To: DeFelice, Jerome <Jerome.DeFelice@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: RE: Clip: ND and DAPL

Who carried the editorial? You don't mention the news source.

From: DeFelice, Jerome
Sent: Tuesday, January 31, 2017 8:37 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: Clip: ND and DAPL

Feds should pick up ticket for DAPL protest protection

Editorials

Jan 29, 2017

dropped out of national media quite a bit, the Dakota Access pipeline protest is continuing and will perhaps find itself renewed in one form or another in light of President Donald Trump's green lighting efforts. In fact, one can almost count on reinvigorated resistance of some kind given the president's fingerprints on the issue.

Continued and potentially expanded protest will require additional resources to provide for the safety of the protesters.

The federal government started this problem and it should pay for cleaning up its mess.

The previous administration opted to play politics with Dakota Access, intervening in a lawful, proper process to appease its radical anti-capitalist base and to continue to prosecute its identity politics agenda. It was pure, if utterly cynical politics, equivocation that inspired protesters and eventually rioters and acts of violence and terror.

As a result, the state and regional government entities are stuck carrying the bag. It's the political equivalent of an unfunded mandate.

While the current administration did not initiate this problem and seems inclined to want to defuse the whole situation by turning it back to the reasoned, regulatory system, the expense issue remains.

This is a federal government-instigated problem and the federal government should pony up and pay for the results.

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From: DeFelice, Jerome
Sent: 27 Jan 2017 16:30:41 +0000
To: Greff, Stacie
Subject: RE: Clip: ND tribal

Yes, in todayâ€™s clips.

From: Greff, Stacie
Sent: Friday, January 27, 2017 9:18 AM
To: DeFelice, Jerome
Subject: RE: Clip: ND tribal

Are you including in the clips? Curious as this came up during state director call. I will share on my own if not.

From: DeFelice, Jerome
Sent: Friday, January 27, 2017 8:58 AM
To: Stephenson, James R ; Garcia, Carol ; Floyd, Megan
Cc: Greff, Stacie ; Dombrowski, Justin
Subject: Clip: ND tribal

Iâ€™ll include in todayâ€™s clipsâ€¦

N.D. governor, tribe hold five-hour meeting at Standing Rock

ℜ• By Caroline Grueskin Bismarck Tribune
ℜ• 14 hrs ago

FORT YATES, N.D. â€" Gov. Doug Burgum sat down with tribal and camp leaders for five hours at the Prairie Knights Casino Wednesday night in what participants saw as a gesture of good faith from the new leadership.

"The governor listened to our concerns, and that goes a long way in showing his willingness to listen and learn ... from all sides, how we can help and rebuild and move forward," said Standing Rock Tribal Chairman Dave Archambault II. "This has been very trying on everybody."

It was significant to many participants that the meeting took place in Fort Yates â€" a decision made by Burgum â€" and a step former Gov. Jack Dalrymple did not take during the Dakota Access Pipeline protests.

Attendees included current and former Standing Rock tribal council members, tribal elders, Oceti Sakowin camp headsmen, officials from the Bureau of Indian Affairs, North Dakota Highway Patrol Col. Michael Gerhardt Jr., Indian Affairs Commission Executive Director Scott Davis and Lt. Gov. Brent Sanford.

The meeting, which lasted from 7 p.m. to midnight, was mostly a listening session for the governor, participants said. They wanted him to hear about the broken treaties with the Sioux people, what the Backwater Bridge closure was costing the tribe and their fears that President Donald Trump would forcibly remove the protesters.

Archambault said he told the governor specifically, "if the president wants to use federal force, to let us know. We don't want anyone to be hurt. That's the nerve-wracking part, because he's making rash decisions."

Some also asked the governor to take meaningful steps to assist the Standing Rock Sioux Tribe. Most notably, they want the Backwater Bridge on N.D. Highway 1806 re-opened.

"The state needs to work with us first," said Cannon Ball Tribal Councilman Cody Two Bears, whose constituents say the closure affects their access to key medical services.

Though no concrete plans came out of the meeting, Gov. Doug Burgum said in an interview that he asked the Morton County Sheriff, North Dakota Highway Patrol, North Dakota National Guard and Morton County Commission on Thursday to draft a plan for a phased re-opening of the bridge.

Concerned about an impending flood, Burgum said he would also advocate with the Army Corps of Engineers, if needed.

"We want to work with Chairman Archambault and the camp leaders and try to figure out a way to reduce the level of conflict and, at the same time, solve the public safety issues we have relative to the flood," Burgum said. "How do we take steps together?"

Manape LaMere, an Oceti Sakowin camp headsman, said he told the governor he understood there are strategic reasons to keep the bridge closed: That way protesters do not camp or linger in the snowy ditches where the protests began just north. But he contends use of the road and access to the site would be valuable enough to constrain that behavior

From: DeFelice, Jerome
Sent: 15 Feb 2017 15:33:17 +0000
To: Greff, Stacie;Dombrowski, Justin;Floyd, Megan;Garcia, Carol;Stephenson, James R
Subject: Clip: DAPL

Article by Bismarck AP reporter. Appeared in this morning's Denver Post and other outlets across the region. He's been doing these sort of updates periodically.

A guide to recent events in the Dakota Access pipeline battle

North Dakota says law enforcement response to pipeline protests has cost taxpayers $33 million so far.



Tom Stromme, The Bismarck Tribune
This aerial photo shows a site where the final phase of the Dakota Access Pipeline will take place with boring equipment routing the pipeline underground and across Lake Oahe to connect with the existing pipeline in Emmons County, Feb. 13, 2017, in Cannon Ball, N.D.

By The Associated Press
PUBLISHED: February 14, 2017 at 6:02 pm | UPDATED: February 14, 2017 at 6:31 pm

By Blake Nicholson, *The Associated Press*

BISMARCK, N.D. — The disputed four-state Dakota Access pipeline could be moving oil in as little as a month, though opponents are promising to continue fighting the project. Here's a look at recent developments, and what's to come:

How far along is construction of the Dakota Access pipeline?

Texas-based developer Energy Transfer Partners on Feb. 8 received approval from the Army to lay pipe under a Missouri River reservoir in North Dakota — the last remaining section of the 1,200-mile pipeline that would move North Dakota oil to Illinois. Drilling work at Lake Oahe began immediately. The development was prompted by President Donald Trump, who pushed the Army to advance construction.

ETP spokeswoman Vicki Granado initially said the pipeline would be operational within three months. However, company lawyer David Debold on Monday suggested it could be ready for oil in as little as 30 days. Granado credited the efficiency of the company's equipment and crews, but didn't elaborate.

What's the latest ruling in the court cases involving the Standing Rock and Cheyenne River Sioux?

The Standing Rock and Cheyenne River Sioux say the $3.8 billion pipeline threatens their drinking water, cultural sites and ability to practice their religion, which depends on pure water. They asked U.S. District Judge James Boasberg to temporarily halt construction at Lake Oahe until their legal challenges are resolved.

Boasberg on Monday refused, though he scheduled a Feb. 27 hearing on a request by Cheyenne River to force the Army to withdraw its permission for the lake crossing.

Tom Stromme, The Bismarck Tribune via AP, file

A section of the Dakota Access Pipeline under construction near the town of St. Anthony in Morton County, N.D., on June 29, 2016.

A Standing Rock attorney plans to ask Boasberg to rule on the tribe's claims before pipeline operations begin.

The Oglala and Yankton Sioux tribes in South Dakota have filed similar legal challenges, the Yankton tribe in September and the Oglala Sioux on Saturday.

In a separate lawsuit, pipeline opponents suing police for allegedly using excessive force are appealing a federal judge's recent ruling allowing authorities to continue using tactics such as tear gas and rubber bullets for crowd dispersal.

Are there still people protesting construction of the pipeline?

Law enforcement records show that such tactics haven't been used since Jan. 19, at a blockaded highway bridge in the area of a protest encampment on federal land in southern North Dakota. The camp has at times housed thousands of protesters who have often clashed with police. It's now home to only a few hundred people and is being cleaned up in advance of spring flooding and a Feb. 22 closing date set by the Army Corps of Engineers.

Many protesters don't plan to leave the area. Cheyenne River chairman Harold Frazier says that tribe is leasing about 25 acres on the Standing Rock Reservation for camps. American Indian activist Chase Iron Eyes also is encouraging a continued presence in the area.

Is the bridge that was damaged by fire open to traffic?

The bridge on U.S. 1806 has been closed since it was damaged by fires Oct. 28. Officials have been working in recent weeks to reopen it in the interest of easing tensions.

Guardrail repairs were completed Friday and temporary asphalt patching was finished Monday, at a total cost of about $10,000, according to Department of Transportation spokeswoman Jamie

Olson. However, it won't be reopened until authorities determine tensions have eased enough to warrant it, said Morton County sheriff's spokesman Rob Keller.

The Transportation Department on Monday did reopen 8 miles of an 18-mile closed stretch of the highway, "allowing farmers, ranchers, people who have business down there to have more freedom of travel," Keller said.

What's the price tag for law enforcement related to the Dakota Access pipeline protest?

Law enforcement continues to maintain a heavy presence in the area despite the fading of protests.

New figures from the state show the law enforcement response over the past half-year has involved officers from 10 states, resulted in 705 arrests and cost taxpayers $33 million — $25 million for officer pay, $3.6 million for travel and lodging, and $4.3 million for equipment and supplies.

The data show that 92 percent of the 660 people who have been arrested are not from North Dakota.

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From: DeFelice, Jerome
Sent: 31 Jan 2017 15:36:47 +0000
To: Greff, Stacie;Dombrowski, Justin
Subject: Clip: ND and DAPL

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From: DeFelice, Jerome
Sent: 2 Mar 2017 15:08:45 +0000
To: Greff, Stacie;Dombrowski, Justin
Cc: Floyd, Megan;Stephenson, James R;Garcia, Carol
Subject: Clip: ND DAPL

Thought this was interesting. Not going to include in the clips.

AP Exclusive: Taxes could flow with Dakota Access pipeline

- By JAMES MacPHERSON Associated Press
- Mar 1, 2017 Updated 14 hrs ago

BISMARCK, N.D. (AP) — North Dakota stands to gain more than $110 million annually in tax revenue after oil begins coursing through the Dakota Access pipeline, an analysis by The Associated Press shows.

The calculation shows the potential payoff for a state whose officials have supported the pipeline despite concerns from Native American tribes and other opponents who fear it could harm drinking water and sacred sites. The money the state stands to make in just one year far outstrips the $33 million in costs to police a section of the pipeline that's been the subject of intense and sometimes violent protests over the last year.

"The amount of the windfall to the state doesn't surprise me at all," said Payu Harris, an American Indian activist and pipeline opponent. "That's why the state of North Dakota expended the resources they did."

Dallas-based Energy Transfer Partners' $3.8 billion pipeline will carry oil more than 1,000 miles to a shipping point in Illinois and may be moving oil as early as next week. Its completion would be welcome both for drillers seeking a cheaper path to market and for the state government in North Dakota, where declining tax revenue has clouded its budget.

"Every dollar they get extra is good for the state as well," state tax commissioner Ryan Rauschenberger said.

State budget analysts and an economic consulting firm working on the revenue forecast that lawmakers will use to create a spending plan for the next two years may take the potential tax benefits into account, State Budget Director Pam Sharp said. The new forecast will be released next week.

North Dakota in the past decade has become the second-biggest oil producer in the United States, behind Texas. But its location in the northern Plains, far from major oil markets, means less profit on each barrel of oil. North Dakota lowers its tax on each barrel to keep its crude competitive with other states.

Much of North Dakota's oil is shipped by truck or train. The 1,200-mile Dakota Access pipeline would carry the oil through South Dakota and Iowa to a shipping point in Illinois. It could shave shipping costs by more than $3 a barrel, according to Ron Ness, president of the North Dakota Petroleum Council. State tax officials estimate every dollar saved means about $33.6 million in added tax revenue each year.

"Every dollar back is a win for producers, the state and mineral owners," said Ness, who called the Dakota Access pipeline the most important infrastructure project in North Dakota since the interstate highway system.

It also will link to pipelines serving Gulf Coast refineries, which pay premium prices for high quality sweet crude like that drilled in North Dakota.

In addition to oil tax revenue, the pipeline is estimated to generate $55 million in property taxes annually in the four states it crosses, including more than $10 million a year in North Dakota, said Rauschenberger, the state tax commissioner.

That will provide much-needed revenue to rural counties, he said.

"It's going to benefit schools and counties and more valuation means lower property tax bills for everybody," Rauschenberger said.

The AP's analysis calculated the more than $10 million property tax gain combined with the additional $100 million in oil taxes from higher crude prices that drillers expect to achieve once the pipeline is in place.

The pipeline was first announced in 2014, days after then-Gov. Jack Dalrymple, a Republican, urged that more oil and gas pipelines be built to reduce hazardous truck and oil train traffic and to curb the flaring — or burning off — of natural gas at wellheads.

Dakota Access sailed through the state's approval process, only to run into resistance from the Standing Rock Sioux, whose reservation straddling the North Dakota-South Dakota border is near the pipeline's route. The Standing Rock Sioux and other tribes urged the U.S. government not to allow the project to move forward and fought the pipeline in court and with protests at a nearby encampment on federal land that at times grew to include thousands of people.

The opponents were dealt a devastating setback in January when President Donald Trump signed an executive order to advance the pipeline's construction. The Army subsequently gave approval for ETP to put the last final big chunk of pipe under a Missouri River reservoir near the Standing Rock Sioux Reservation. The Army has authority over that stretch because its Corps of Engineers manages the Missouri River.

Authorities last week cleared the last vestiges of the protest camp ahead of spring flooding, although the Standing Rock and Cheyenne River Sioux continue to fight the project in court.

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From: DeFelice, Jerome
Sent: 15 Feb 2017 15:45:01 +0000
To: Greff, Stacie;Dombrowski, Justin
Subject: Clip: ND flooding

State officials warn of river contamination

- LAUREN DONOVAN Bismarck Tribune

Lauren Donovan

Expected near-record temperatures and rapid snow melt are increasing the risk of high water by week's end at the Dakota Access Pipeline protest camps — and state officials are worried time is running out to prevent contamination of the rivers there.

U.S. Army Corps of Engineers Maj. French Pope toured the Oceti Sakowin main protest camp Tuesday to assess the situation and determine what additional resources will be needed to complete the cleanup, started by the Standing Rock Sioux Tribe, camp residents and volunteers on Jan. 31.

The camp is on corps land and remains occupied by 300 to 400 people in yurts, teepees, fortified tents and other structures. Much of the camp area has been cleared out, with thousands of tons of material hauled to the landfill in the past two weeks.

Gov. Doug Burgum said the corps' assessment is crucial to accelerating the cleanup before garbage, vehicles, structures and human waste wash into the Cannonball and Missouri rivers.

"We cannot afford to wait any longer," Burgum said.

The National Weather Service reports that people on the Cannonball, Knife and Heart rivers' watersheds should watch for rising water over the next several days.

Dave Glatt, state Department of Health environmental chief, said cleanup efforts will have to be doubled and any protesters at the camp who refuse to move are potentially worsening a bad situation for people who depend on the water.

"As long as we have frozen ground and melting snow, the water is going to continue to rise in the camps," Glatt said.

The weather service and the U.S. Geological Survey will install a new stream gauge on the Cannonball River near the camp Wednesday to closely monitor river heights in the area.

"That area, by nature, is prone to flooding. The Cannonball River and the Cantapeta Creek, along with the Missouri River, all come together in the area of the protest camp, which is sitting down in the floodplain," said state engineer Garland Eberle with the State Water Commission. "We've historically seen ice jamming which causes a backup of flood water. If you're really trying to protect the river, it is imperative we get that stuff cleaned up before we see a flood."

(Reach Lauren Donovan at 701-220-5511 or lauren@westriv.com.)

Jerry DeFelice
External Affairs
FEMA Region VIII, Denver
303-235-4948
303-941-5088 cell
Jerome.DeFelice@fema.dhs.gov


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From: DeFelice, Jerome
Sent: 6 Feb 2017 15:08:11 +0000
To: R8 External Affairs
Subject: Clip: ND tribal

I'll include this in the clips…

Standing Rock Sioux want 'no forcible removal' of protesters from Dakota Access pipeline site

By Juliet Eilperin, *The Washington Post*

Standing Rock Sioux Tribe officials said this weekend that while they were working with federal authorities to stabilize the situation at the Dakota Access Pipeline protest site, they were not calling on law enforcement to forcibly remove activists there.

After months of protests, both tribal officials and residents in the town of Cannon Ball, North Dakota, have asked those opposed to completion of the controversial, 1,170-mile pipeline to leave. A few hundred activists remain, both on the Standing Rock Sioux's reservation and on neighboring land.

Tribal officials and their allies, including environmentalists and many military veterans, argue that the project could cause environmental damage and disturb ancient burial sites. Proponents, including President Donald Trump and many business and labor leaders, say it will spur economic growth in the United States and provide a means of safely transporting heavy crude from western North Dakota to the pipeline networks and refineries in Illinois.

On Friday evening, the acting assistant secretary for Indian affairs, Michael S. Black, said that the agency had sent "enforcement support and would assist" the tribe "in closing the protest camps within the Standing Rock Reservation boundary."

But tribal officials responded over the weekend that while they wanted people to leave the reservation, they did not want them arrested or ousted by force. On Wednesday, law enforcement authorities arrested 74 protesters who had decamped to land owned by the pipeline's developer, Energy Transfer Partners.

Related Articles

- February 1, 2017 Review of pipeline could be beginning of end for opponents
- January 25, 2017 Protesters hoist "RESIST" banner from crane near White House

"We want to stress that we are cleaning the camps, not clearing them," the tribe posted on Facebook on Saturday. "We do not support or endorse any 'raids.' We have not asked for law enforcement to assist in clearing camps and in fact have repeatedly told them there will be no forcible removal."

Tribal officials have been trying to persuade protesters to leave on their own, although it is unclear whether they will do so. The extended period of encampment has caused soil erosion that could cause significant flooding, depending on future weather conditions.

Trump has instructed Army Corps of Engineers officials – who withheld the final permit needed to complete the pipeline project in December, citing the need for a more extensive environmental review — to expedite its review of Energy Transfer Partners' application. Officials confirmed last week they were accelerating their review but had not reached a final decision yet.

In the Facebook post, the tribe officials emphasized that they would continue to fight any federal permit for the pipeline in court but that opponents had to be sensitive to those living around the reservation.

"One of the key tenets of any movement is being considerate about how we treat the community in which we bring our voices and respect the places where we are visitors," it said. "The community of Cannonball has every right to choose how it wants people to help them. We are still focused on defeating DAPL on all fronts."

Jerry DeFelice
External Affairs
FEMA Region VIII, Denver
303-235-4948
303-941-5088 cell
Jerome.DeFelice@fema.dhs.gov



From: Dombrowski, Justin
Sent: 31 Jan 2017 18:04:41 +0000
To: Floyd, Megan
Subject: RE: ACTION: Review for Senate Indian Affairs Committee Input

Did you add EMPG directly into the email you already sent (#3?) or is there a new version to look at? Is this the hearing you mentioned before?

From: Floyd, Megan
Sent: Tuesday, January 31, 2017 9:14 AM
To: Greff, Stacie ; Dombrowski, Justin
Cc: Welch, Randy
Subject: ACTION: Review for Senate Indian Affairs Committee Input

Added a bit more this morning on EMPG and the story from the clips about Hoeven working with DHS.

From: Floyd, Megan
Sent: Monday, January 30, 2017 4:08 PM
To: Greff, Stacie ; Dombrowski, Justin
Cc: Welch, Randy
Subject: For your Review: Senate Indian Affairs Committee

Stacie and Justin –

I am helping Randy get the Regional hot button issues together for the Senate Indian Affairs Committee hearing. Based on the members, the only two issues I would foresee are the Dakota Access Pipeline and Rocky Boy's Audit. Could you please take a look at the information below and let me know if you are comfortable with it? Once you look at it I will make sure Jen takes a look before I give it back to Randy to go up to HQ (by COB tomorrow).

Thanks

Megan

1) Standing Rock: Dakota Access Pipeline Protests - There have been no requests for FEMA assistance from the Tribe or the State

- Background: On April 1, 2016 people began to gather and protest the Dakota Access Pipeline just north of the Standing Rock Reservation border. Since that time protest crowds have been estimated to have grown to 10,000 plus (NYTimes) during their peak. Since December 2016, when the Army Corps of Engineers did not approve the easement necessary to permit the pipeline to cross under Lake Oahe, the numbers at the protest camps have fallen to around 500 (+or-). Due to the significant crowd size, North Dakota had to provide additional law enforcement resulting in significant costs to the State office of Homeland Security. In October, the State of North Dakota started to talk about EMAC to support the law enforcement efforts. Ultimately other states did provide support to the State of ND. In late September Senator Hoeven spoke with former administer Fugate regarding the need to provide financial assistance to the State to support law enforcement. The State has not made any official requests of FEMA for assistance. The Standing Rock Sioux Tribe has not reached out to FEMA for assistance either. At this time, both the Standing Rock Sioux Tribe and the State of North Dakota have called on protestors to leave the protest site and return home based on concerns for spring flooding and the impacts of the protest camp on the local community. FEMA

is not engaged on the issue beyond passive monitoring. See most recent news from Senator Hoeven below.

2) Rocky Boy's: OIG Audit

- In 2010 The Chippewa Cree of the Rocky Boy's reservation was a direct grantee for DR-1922. Following that event there have been numerous issues with tribal officials misusing, not only FEMA funds, but other federal funds. The Montana US Attorney's office and the Department of the Interior OIG have prosecuted several individuals. THE DHS OIG has also been involved and is looking specifically at the misuse of FEMA Public Assistance grants. FEMA funds that have resulted in criminal charges and convictions. The OIG has been involved with audits of DR-1922 for several years. Currently they are auditing Project Worksheets related to a health clinic that was destroyed during the disaster.

3) EMPG: Funds not available directly to tribal governments

- Several Tribes in Region VIII has been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their emergency management programs and in some cases some funds trickle down to tribes, however, it is never enough. The tribes in Region VIII have expressed concerns about the requirements of a Presidential Emergency or Major Disaster declaration because they do not have access to direct funds to support the development of their emergency management programs.

Additional BIA officers to be dispatched to ND to assist with DAPL protests

KFYR-TV, Bismarck
Posted: Fri 5:00 PM, Jan 27, 2017 |
Updated: Fri 5:02 PM, Jan 27, 2017

WASHINGTON, D.C. - Senator John Hoeven announced Friday the Bureau of Indian Affairs has dispatched 20 additional officers to North Dakota to help state and local law enforcement at the Dakota Access Pipeline protest sites.

This will bring the total number of BIA officers at the site to 40.

"We're working to get more federal law enforcement assistance to work with state and local law enforcement officers. The BIA has committed to provide an additional 20 officers, who should be there this weekend. In addition, we're working with both the Department of Homeland Security and the Department of Justice to provide additional resources as well," Hoeven said.

From: Krikava, Richard
Sent: Thursday, January 26, 2017 3:17:58 PM
To: Norris, Rachael; Deshong, Casey; Hunter, Cynthia; Cappannari, Michael L; Shulman, Dan; Golding, Noah; Rigby, Corey; Murphy, Kendall; Alvarado, Diego
Cc: Trytten, Dana; Booth, Milo
Subject: Senate Indian Affairs Committee

Team:
As you may have heard, we've got a hearing coming up in the Senate Indian Affairs Committee on Feb. 8. In an effort to prepare our witness for questions that may be lobbed at him, could you please take a look at the list of Senators below, and let me know if there are any boogeyman issues related to FEMA out there that might flare up in the hearing (related to Indian Country or otherwise)?

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Something by COB Tuesday, Jan. 31?
Thanks, and call me if you have any questions. (Also, I'm sure our Tribal Branch here at HQ are pinging your Regional Tribal Liaisons, too.)

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Steve Daines, Member (MT)
Michael Crapo, Member (ID)
Jerry Moran, Member (KS)

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Tom Udall, Member - Vice Chairman (NM)
John Tester, Member (MT)
Maria Cantwell, Member (WA)
Al Franken, Member (MN)
Brian Schatz, Member (HI)
Heidi Heitkamp, Member (ND)
Catherine Cortez Masto, Member (NV)

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov



From: Dombrowski, Justin
Sent: 31 Jan 2017 18:23:25 +0000
To: Floyd, Megan
Subject: RE: ACTION: Review for Senate Indian Affairs Committee Input

Copy, thx, I made a few edits in text below (should be in blue) and some highlighted parts that include a couple of clarifying questions…thanks again!

From: Floyd, Megan
Sent: Tuesday, January 31, 2017 11:16 AM
To: Dombrowski, Justin
Subject: RE: ACTION: Review for Senate Indian Affairs Committee Input

Brian looked at it.

From: Dombrowski, Justin
Sent: Tuesday, January 31, 2017 11:16 AM
To: Floyd, Megan
Subject: RE: ACTION: Review for Senate Indian Affairs Committee Input

Ok, thx, think he should review as second set of eyes before coming to Stacie (and me) unless you had someone else do so…

From: Floyd, Megan
Sent: Tuesday, January 31, 2017 11:14 AM
To: Dombrowski, Justin
Subject: RE: ACTION: Review for Senate Indian Affairs Committee Input

Yes, working on that now. Randy has not seen yet. He asked me to run these before he gets them back this afternoon.

From: Dombrowski, Justin
Sent: Tuesday, January 31, 2017 11:10 AM
To: Floyd, Megan
Subject: RE: ACTION: Review for Senate Indian Affairs Committee Input

Copy, will you be adding another bullet about today's call? Looks generally good to me, some minor word-smithing that I'd recommend – did Randy review this prior to sending to us?

From: Floyd, Megan
Sent: Tuesday, January 31, 2017 11:05 AM
To: Dombrowski, Justin
Subject: RE: ACTION: Review for Senate Indian Affairs Committee Input

Same hearing and I added the EMPG this morning.

From: Dombrowski, Justin
Sent: Tuesday, January 31, 2017 11:05 AM
To: Floyd, Megan
Subject: RE: ACTION: Review for Senate Indian Affairs Committee Input

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- Several Tribes (which?) in Region VIII has been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their emergency management programs and in some cases some funds trickle down to tribes, however, it is never enough (subjective statement). The tribes in Region VIII have expressed concerns about the requirements of a Presidential Emergency or Major Disaster declaration because they do not have access to direct funds to support the development of their emergency management programs. (any change of concern w/new changes especially w/PA?)

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Catherine Cortez Masto, Member (NV)
Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov



From: Dombrowski, Justin
Sent: 26 Oct 2016 15:34:39 +0000
To: Depalo, Lee
Subject: RE: R8 RRT - pipeline security incidents/concerns

Thanks Lee, appreciate the heads-up and circling back…hope all is well back home, J

From: Depalo, Lee
Sent: Wednesday, October 26, 2016 8:26 AM
To: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: FW: R8 RRT - pipeline security incidents/concerns

FYSA since you were asked a question last week

Lee dePalo

Response Division Director
FEMA Region VIII
Cell: 720-456-9616
Desk: 303-235-4990

Sent from my iFEMA mobile device.

From: Vasco, MaryBeth
Sent: Wednesday, October 26, 2016 8:18:30 AM
To: Dragani, Nancy; Deal, Timothy; Depalo, Lee; Holmes, Lanney
Cc: Floyd, Megan; Jones, Susan K; FEMA-MOC-DENVER; Feighert, Dan; Bakersky, Pete; Gafkjen, Jeffrey
Subject: FW: R8 RRT - pipeline security incidents/concerns

FYSA. Please let me know if you have any questions,

Mary Beth

Mary Beth Vasco, JD, MEP
Tech Hazards Specialist
FEMA Region VIII
303-235-4902 (desk)
303-243-4965 (cell)

Referred to Another Agency/Component

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Withheld pursuant to exemption

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From: Dombrowski, Justin
Sent: 4 Nov 2016 18:41:31 +0000
To: 'DeFelice, Jerome'
Subject: RE: Region VIII News Clips, Wednesday, November 2

Thanks Jerry for the follow-up!

From: DeFelice, Jerome
Sent: Wednesday, November 02, 2016 2:56 PM
To: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: RE: Region VIII News Clips, Wednesday, November 2

Checked with Rickie, and he said that he's never come across the use of first Americans, from FEMA or from the tribes.
It will be good to have you on board.
See you.

From: Dombrowski, Justin
Sent: Wednesday, November 02, 2016 9:04 AM
To: DeFelice, Jerome <Jerome.DeFelice@fema.dhs.gov>
Subject: RE: Region VIII News Clips, Wednesday, November 2

Thanks Jerry, hope it won't require much luck ☺ Hope you had fun in Italy and sorry you had to hear about it late/distant.

With the next POTUS, we could find ourselves getting a whole different set of descriptors for many things….J

From: DeFelice, Jerome
Sent: Wednesday, November 02, 2016 8:02 AM
To: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: RE: Region VIII News Clips, Wednesday, November 2

Hey, Justin—

I don't recall this term being used by anyone in FEMA. I know it's how Canadians refer to their tribes.

By the way, congratulations on the job, and best of luck. Glad you made it back to Colorado. I was in Italy when Stacie made the announcement.

Cheers,
Jerry

From: Dombrowski, Justin
Sent: Wednesday, November 02, 2016 8:57 AM
To: DeFelice, Jerome <Jerome.DeFelice@fema.dhs.gov>
Subject: RE: Region VIII News Clips, Wednesday, November 2

Hi JD,
Are we using this term (seems to be a good one)?
"Were going to let it play out for several more weeks and then determine whether or not this can be resolved in a way that I think is properly attentive to traditions of the first Americans," Obama said.

I'm looking forward to re-joining the team in person in about a month, hope all is well with you!

Thx, JD

From: DeFelice, Jerome
Sent: Wednesday, November 02, 2016 7:34 AM
To: R8 ALL PFTs-CORES <R8ALLPFTs-CORES@fema.dhs.gov>
Cc: (b)(6) @state.co.us>; (b)(6) @state.co.us>; (b)(6) @state.co.us; (b)(6) @mail.mil; (b)(6) @mail.mil; (b)(6) @nd.gov; (b)(6) @state.sd.us; (b)(6) @state.sd.us; (b)(6) @utah.gov; (b)(6) @wyo.gov; (b)(6) @acf.hhs.gov; (b)(6) @usace.army.mil; (b)(6) @usace.army.mil; (b)(6) @state.mn.us; Peterson, Mark J <Mark.Peterson2@fema.dhs.gov>; (b)(6) @hhs.gov (b)(6) @hhs.gov; (b)(6) @hhs.gov; (b)(6) @sba.gov (b)(6) @sba.gov; Nelson, Jason <Jason.Nelson2@fema.dhs.gov>; Blaylock, Andrew <andrew.blaylock@fema.dhs.gov>; (b)(6) @fs.fed.us; Alexander, Daniel <Daniel.Alexander@fema.dhs.gov>
Subject: Region VIII News Clips, Wednesday, November 2

Region VIII Clips

Wednesday, November 2, 2016

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NORTH DAKOTA

Obama: We're examining options to 'reroute' ND pipeline **The Hill.** Article also appeared in Bismarck Tribune and Fargo Forum.

East Grand Forks to honor flood of 1997 'Angel' **Fargo Forum**

SOUTH DAKOTA:

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Flood Of Weather Warning Terms Fuels Confusion **USA Today**

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COLORADO:

MONTANA:

NORTH DAKOTA:

Obama: We're examining options to 'reroute' ND pipeline

By Caitlin Yilek , The Hill

President Obama addressed the Dakota Access Pipeline controversy for the second time Tuesday, saying his administration is looking for way to reroute the pipeline.

“We’re monitoring this closely, and you know I think that as a general rule my view is that there is a way for us to accommodate sacred lands of Native Americans,” Obama said in an interview with Now This, shared with MSNBC’s “The Last Word with Lawrence O’Donnell” Tuesday.
“I think that right now the Army Corps [of Engineers] is examining whether there are ways to reroute this pipeline.”

Tensions in North Dakota are rising between police and pipeline protesters, who have been demonstrating for weeks.

The Standing Rock Sioux tribe says the pipeline, which would cross the Missouri River upstream of the reservation, would contaminate drinking water and harm scared lands.

“Were going to let it play out for several more weeks and then determine whether or not this can be resolved in a way that I think is properly attentive to traditions of the first Americans,” Obama said.

East Grand Forks to honor flood of 1997 'Angel'

By Andrew Haffner on Nov 1, 2016 at 8:46 p.m.

EAST GRAND FORKS, Minn.—A major philanthropist who contributed to local aid efforts after the flood of 1997 will be honored with a commemorative parkway not far from the Red River.
East Grand Forks City Council members at their regular Tuesday meeting affirmed approval to rename a section of Fourth Street in East Grand Forks to memorialize Joan Kroc, who donated $15 million to assist flood victims on both sides of the river that divides Minnesota and North Dakota.
As a caveat to her gift, Kroc wished both to remain anonymous and for her money to be distributed directly to flood victims. Families who qualified for aid received checks for $2,000.
Before Kroc's identity as the donor was revealed, former Grand Forks Mayor Pat Owens referred to her simply as "the Angel."
Kroc died in 2003 at the age of 75.
The measure to publicly honor her gift with a memorial road—which would stretch along the Red River State Recreation Area to connect downtown on one end to Gateway Drive and the Kennedy Bridge on the other—passed nearly unanimously.
Council member Craig Vetter provided the sole dissenting vote, arguing that the recognition would go against Kroc's wishes of anonymity.

East Grand Forks Mayor Lynn Stauss disagreed and made a statement of support for the measure, saying he didn't think Kroc was opposed to being recognized further after being initially identified as the donor.

After the meeting, Vetter said he had expected the measure to pass and for himself to make the lone vote against it. Still, given the measures Kroc took to make her donation anonymous, Vetter said he just "didn't think I could vote for it."

"It is what it is," he said. "The other part of me thinks those of us who lost a lot through the flood, it's like the scab gets healed and someone wants to pick at it again. Now every time we drive by there we'll see her name and be reminded of it again."

SOUTH DAKOTA:

UTAH:

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FEMA-RELATED STORIES:

Flood Of Weather Warning Terms Fuels Confusion

By Doyle Rice

USA Today, November 1, 2016

When you hear there's a "flood watch" in your town, do you know what that means? What about a "flood warning"? And what in the world is a "flood advisory?"

Do you have to think about which one is worse?

The National Weather Service is aware there is confusion around the watches, warnings and advisories it issues and is considering making small to potentially dramatic changes to how the agency lets Americans know when and where dangerous weather threatens.

The rampant befuddlement over the terms prompted the launch a few years ago of the hazard simplification project, an endeavor that's continually seeking input from the public, said Eli Jacks, chief of the agency's forecast services division. In the next few weeks, a survey asking for comments on winter weather and flooding hazard terms will be available on the project's website.

So what, exactly, do the names mean? At the most basic level, a watch means there's the potential for hazardous or dangerous weather, while a warning indicates hazardous or dangerous weather is imminent or occurring, the weather service said. Meanwhile, an advisory is issued for hazardous weather that is also imminent or occurring but is "less serious than a warning."

Therefore, a watch is typically the first product issued, followed by either an advisory or a warning, depending on the severity of the weather hazard.

Baffled yet?

One simple reason for the confusion is that both watch and warning start with the letters "wa," while another is that advisory "doesn't have any specific connotation," Jacks said.

Not only are the three levels befuddling, there are also too many of them: In all, the weather service transmits a whopping 122 different watches, warnings and advisories, all the way from Air Quality Alert to Winter Weather Advisory. Some of the more obscure ones include Ashfall Warning, Freezing Spray Advisory and Lakeshore Flood Watch.

"If you look at the current suite of flood watches and warnings, there are more than even I was aware of," said University of Georgia meteorologist Marshall Shepherd.

"With so many types of warnings, it is not surprising that some might downplay a deadly flood threat like we saw in Louisiana earlier this year," he added, recalling the disaster that killed 13 people and destroyed nearly 150,000 homes.

The impetus for the project was partly due to twister outbreaks in Alabama and Missouri in 2011 that killed hundreds of people despite widespread tornado warnings, Jacks said.

"What can we do better?" he wondered.

Shepherd said the KISS principle (Keep It Simple Stupid) still works. "I learned this as a child and think it can apply with our weather warnings," he said.

If the entire system is overhauled, what should the terms be replaced with? Jacks said the weather service is looking at many options, such as switching to the color-coded (yellow, orange, red) warnings some European countries use, or possibly different wording, such as warning of low, medium or high impact events.

But a switch isn't necessarily simple or easy, Jacks said, as some emergency managers and municipalities have the watch, warning and advisory terms already baked into their systems.

Though a widespread change could still be a few years away, Jacks said, tweaking or reducing the confusing terms could happen sooner. "This is a very complex issue," he said. "We've got to get it right."

A tornado moves through Tuscaloosa, Ala. Wednesday, April 27, 2011. Hundreds of Americans were killed by tornadoes in 2011 despite widespread warnings. (Photo: Dusty Compton, AP)

Jerry DeFelice
External Affairs
FEMA Region VIII, Denver
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303-941-5088 cell
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From: Dombrowski, Justin
Sent: 26 Oct 2016 15:35:29 +0000
To: (b)(6)
Subject: FW: R8 RRT - pipeline security incidents/concerns

(b)(6) fyi, doesn't sound like any actions by FEMA on it, J

Referred to Another Agency/Component

Page 0242

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Ok, thx, think he should review as second set of eyes before coming to Stacie (and me) unless you had someone else do so…

From: Floyd, Megan
Sent: Tuesday, January 31, 2017 11:14 AM
To: Dombrowski, Justin
Subject: RE: ACTION: Review for Senate Indian Affairs Committee Input

Yes, working on that now. Randy has not seen yet. He asked me to run these before he gets them back this afternoon.

From: Dombrowski, Justin
Sent: Tuesday, January 31, 2017 11:10 AM
To: Floyd, Megan
Subject: RE: ACTION: Review for Senate Indian Affairs Committee Input

Copy, will you be adding another bullet about today's call? Looks generally good to me, some minor word-smithing that I'd recommend – did Randy review this prior to sending to us?

From: Floyd, Megan
Sent: Tuesday, January 31, 2017 11:05 AM
To: Dombrowski, Justin
Subject: RE: ACTION: Review for Senate Indian Affairs Committee Input

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To: Floyd, Megan
Subject: RE: ACTION: Review for Senate Indian Affairs Committee Input

Did you add EMPG directly into the email you already sent (#3?) or is there a new version to look at? Is this the hearing you mentioned before?

From: Floyd, Megan
Sent: Tuesday, January 31, 2017 9:14 AM
To: Greff, Stacie ; Dombrowski, Justin
Cc: Welch, Randy
Subject: ACTION: Review for Senate Indian Affairs Committee Input

Added a bit more this morning on EMPG and the story from the clips about Hoeven working with DHS.

From: Floyd, Megan
Sent: Monday, January 30, 2017 4:08 PM
To: Greff, Stacie ; Dombrowski, Justin
Cc: Welch, Randy
Subject: For your Review: Senate Indian Affairs Committee

Stacie and Justin –

I am helping Randy get the Regional hot button issues together for the Senate Indian Affairs Committee hearing. Based on the members, the only two issues I would foresee are the Dakota Access Pipeline and Rocky Boy's Audit. Could you please take a look at the information below and let me know if you are comfortable with it? Once you look at it I will make sure Jen takes a look before I give it back to Randy to go up to HQ (by COB tomorrow).

Thanks
Megan

1) Standing Rock: Dakota Access Pipeline Protests - There have been no requests for FEMA assistance from the Tribe or the State

- Background: On April 1, 2016 people began to gather and protest the Dakota Access Pipeline just north of the Standing Rock Reservation border. Since that time protest crowds have been estimated to have grown to 10,000 plus (NYTimes) during their peak. Since December 2016, when the Army Corps of Engineers did not approve the easement necessary to permit the pipeline to cross under Lake Oahe, the numbers at the protest camps have fallen to around 500 (+or-). Due to the significant crowd size, North Dakota had to provide additional law enforcement resulting in significant costs to the State office of Homeland Security. In October, the State of North Dakota started to talk about EMAC to support the law enforcement efforts. Ultimately other states did provide support to the State of ND. In late September Senator Hoeven spoke with former administer Fugate regarding the need to provide financial assistance to the State to support law enforcement. The State has not made any official requests of FEMA for assistance. The Standing Rock Sioux Tribe has not reached out to FEMA for assistance either. At this time, both the Standing Rock Sioux Tribe and the State of North Dakota have called on protestors to leave the protest site and return home based on concerns for spring flooding and the impacts of the protest camp on the local community. FEMA is not engaged on the issue beyond passive monitoring. See most recent news from Senator Hoeven below.

2) Rocky Boy's: OIG Audit

- In 2010 The Chippewa Cree of the Rocky Boy's reservation was a direct grantee for DR-1922. Following that event there have been numerous issues with tribal officials misusing, not only FEMA funds, but other federal funds. The Montana US Attorney's office and the Department of the Interior OIG have prosecuted several individuals. THE DHS OIG has also been involved and is looking specifically at the misuse of FEMA Public Assistance grants. FEMA funds that have resulted in criminal charges and convictions. The OIG has been involved with audits of DR-1922 for several years. Currently they are auditing Project Worksheets related to a health clinic that was destroyed during the disaster.

3) EMPG: Funds not available directly to tribal governments

- Several Tribes in Region VIII has been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their emergency management programs and in some cases some funds trickle down to tribes, however, it is never enough. The tribes in Region VIII have expressed concerns about the requirements of a Presidential Emergency or Major Disaster declaration because they do not have access to direct funds to support the development of their emergency management programs.

Additional BIA officers to be dispatched to ND to assist with DAPL protests

KFYR-TV, Bismarck
Posted: Fri 5:00 PM, Jan 27, 2017 |

Updated: Fri 5:02 PM, Jan 27, 2017

WASHINGTON, D.C. - Senator John Hoeven announced Friday the Bureau of Indian Affairs has dispatched 20 additional officers to North Dakota to help state and local law enforcement at the Dakota Access Pipeline protest sites.

This will bring the total number of BIA officers at the site to 40.

"We're working to get more federal law enforcement assistance to work with state and local law enforcement officers. The BIA has committed to provide an additional 20 officers, who should be there this weekend. In addition, we're working with both the Department of Homeland Security and the Department of Justice to provide additional resources as well," Hoeven said.

From: Krikava, Richard
Sent: Thursday, January 26, 2017 3:17:58 PM
To: Norris, Rachael; Deshong, Casey; Hunter, Cynthia; Cappannari, Michael L; Shulman, Dan; Golding, Noah; Rigby, Corey; Murphy, Kendall; Alvarado, Diego
Cc: Trytten, Dana; Booth, Milo
Subject: Senate Indian Affairs Committee

Team:
As you may have heard, we've got a hearing coming up in the Senate Indian Affairs Committee on Feb. 8. In an effort to prepare our witness for questions that may be lobbed at him, could you please take a look at the list of Senators below, and let me know if there are any boogeyman issues related to FEMA out there that might flare up in the hearing (related to Indian Country or otherwise)?
I'm just looking for a few lines on the issues that might be out there, and if we need to dig in deeper, we can go from there.
Something by COB Tuesday, Jan. 31?
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John Hoeven, Member - Chairman (ND)
John Barrasso, Member (WY)
John McCain, Member (AZ)
Lisa Murkowski, Member (AK)
James Lankford, Member (OK)
Steve Daines, Member (MT)
Michael Crapo, Member (ID)
Jerry Moran, Member (KS)

DEMOCRATS
Tom Udall, Member - Vice Chairman (NM)
John Tester, Member (MT)
Maria Cantwell, Member (WA)
Al Franken, Member (MN)
Brian Schatz, Member (HI)
Heidi Heitkamp, Member (ND)
Catherine Cortez Masto, Member (NV)

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov


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SAFETY TIPS
SHELTERS
PHOTOS
Download on the App Store
GET IT ON Google Play

From: Dombrowski, Justin
Sent: 31 Jan 2017 18:09:58 +0000
To: Floyd, Megan
Subject: RE: ACTION: Review for Senate Indian Affairs Committee Input

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Heidi Heitkamp, Member (ND)
Catherine Cortez Masto, Member (NV)

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov



From: Dombrowski, Justin
Sent: 11 Feb 2017 00:12:44 +0000
To: Greff, Stacie
Subject: FW: Notes from DAPL call today
Attachments: ND DAPL Conference Call Notes.docx

Had a follow up w/Nancy and Jen, we can discuss on Monday...J

Sent from my mobile device.

From: Dragani, Nancy
Sent: Friday, February 10, 2017 3:03:15 PM
To: Greff, Stacie; Dombrowski, Justin
Subject: FW: Notes from DAPL call today

From: Depalo, Lee
Sent: Friday, February 10, 2017 12:31 PM
To: Dragani, Nancy
Cc: Deal, Timothy
Subject: FW: Notes from DAPL call today

Nancy, notes from the call that ESF-13 mentioned in today's SA meeting are attached.

Lee
Lee dePalo
Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990

FEMA

Referred to Another Agency/Component

Page 0251

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Page 0252

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of the Freedom of Information and Privacy Act

From: Dombrowski, Justin
Sent: 19 Oct 2016 22:29:09 +0000
To: 'Meer, Daniel'
Subject: RE: ND pipeline protests

Ok, thanks Dan, J

Referred to Another Agency/Component

From: Dombrowski, Justin [mailto:Justin.Dombrowski@fema.dhs.gov]
Sent: Wednesday, October 19, 2016 2:41 PM
To: Meer, Daniel
Subject: RE: ND pipeline protests

Thx Dan, is related to what Lee sent or was there another incident?

Sent from my iFEMA mobile device.

Referred to Another Agency/Component

Referred to Another Agency/Component

From: Dombrowski, Justin [mailto:Justin.Dombrowski@fema.dhs.gov]
Sent: Wednesday, October 19, 2016 12:14 PM
To: Meer, Daniel
Subject: FW: ND pipeline protests

Dan, left you a vm on ur cell. Just was on a call w/my regional counterparts and hq and they were unaware of anything other than what's below. I'm away from my desk most of today, so try my cell when you get a chance, 303-241-0939. Thx, J

From: Depalo, Lee
Sent: Wednesday, October 19, 2016 12:04 PM
To: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: ND pipeline protests

Justin, not aware of a particular SD incident today but we have been monitoring the pipeline protests taking place near the Standing Rock Sioux Reservation in ND/SD. There is no FEMA involvement on this. The only FEMA discussion that headquarters was working was in the congressional arena since an influential senator from ND was very vocal about needing federal help funding local and state police supporting the protests.

Lee

Lee dePalo

Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990



From: Dombrowski, Justin
Sent: 7 Feb 2017 15:32:52 +0000
To: (b)(6)
Subject: RE: Region 8

We are doing some trainings/exercises on red river coming up but not doing anything specific w/the Reservation other than monitoring, as we don't have any role w/the protest but working with the Tribes on past storm activity (Tribal does fall under my program area in Ext Affairs). I can put you in contact with the Response Division for general OFA response coordination.

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Page 0257

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of the Freedom of Information and Privacy Act

From: Dombrowski, Justin
Sent: 16 Feb 2017 02:38:31 +0000
To: Greff, Stacie
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Got it, thx

Sent from my mobile device.

From: Greff, Stacie
Sent: Wednesday, February 15, 2017 6:23:32 PM
To: Dombrowski, Justin
Subject: FW: Dakota Access Pipeline Contingency Meeting - 2/15

For viz to keep you looped in. Please don't pass.

Sent from my iFEMA mobile device.

From: Dragani, Nancy
Sent: Thursday, February 16, 2017 12:12:35 AM
To: Dozor, Joshua
Cc: Gruber, Corey; Sevier, Adrian; Bibo, David; Breslin, Thomas; Greff, Stacie; Deal, Timothy; Depalo, Lee; Dick, Jennifer; Appenrodt, Kathleen
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Ok. Just wanted you to know we've got that as a contingency plan.

Sent from my iFEMA mobile device.

From: Dozor, Joshua
Sent: Wednesday, February 15, 2017 7:08:38 PM
To: Dragani, Nancy
Cc: Gruber, Corey; Sevier, Adrian; Bibo, David; Breslin, Thomas; Greff, Stacie; Deal, Timothy; Depalo, Lee; Dick, Jennifer; Appenrodt, Kathleen
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Thanks!

I'll hold off on telling them about the IMAT at this time

Joshua C Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
202-631-6877

From: Dragani, Nancy
Sent: Wednesday, February 15, 2017 6:49:20 PM
To: Dozor, Joshua
Cc: Gruber, Corey; Sevier, Adrian; Bibo, David; Breslin, Thomas; Greff, Stacie; Deal, Timothy; Depalo, Lee; Dick, Jennifer; Appenrodt, Kathleen
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Josh,

1. The Region has identified two individuals who can immediately support North Dakota: Kevin Moore, our Response Ops Chief and Lamont Hudson, the State LNO. Both are familiar with planning factors and can help interpret ESF 8 and 9 requirements, as well as understand how to reach back to those ESFs if necessary. Kevin is responsible for outreach and coordination with our ESF partners as well as our liaison to the JTTF. Our back up to these two individuals is the regional IMAT, which is currently available to deploy if needed.
2. The region's liaison to North Dakota, Lamont Hudson, has maintained regular contact with North Dakota. To date, North Dakota has indicated they do not need assistance from FEMA for planning support.
3. The state director, Greg Wilz, has been in place for 11 years. He was retained by the Governor. He is very knowledgeable about the disaster declaration criteria and the process. My most recent conversation with Greg was yesterday. I offered planning support and he indicated he did not feel that was necessary at this time. According to Greg, they have worked up multiple contingency plans to address flooding, renewed protests and environmental contamination.

Please let me know if you need more information or would like a phone call.

Regards, Nancy

Nancy J. Dragani
FEMA Region VIII Acting Regional Administrator
Office – 303-235-4840
Cell – 202-702-1991
Denver Federal Center, Building 710
Lakewood, CO 80225

From: Dozor, Joshua
Sent: Wednesday, February 15, 2017 5:11 PM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Cc: Gruber, Corey <Corey.Gruber@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>; Bibo, David <David.Bibo@fema.dhs.gov>; Breslin, Thomas <Thomas.Breslin@fema.dhs.gov>
Subject: FW: Dakota Access Pipeline Contingency Meeting - 2/15

Hi Nancy
See the attached White House' conclusions from their meeting with law enforcement agencies today and the state. Per the below, can you confirm 2 items to get back to them on?

1) How the Region can participate with the State on the development of planning factors and contingency planning with the state and help interpret ESF 8 and 9 requirements

2) How Region 8 has been engaged with the state since the Governor took office and his (presumably new) emergency management director

Per the NSC staff here are more details on the meeting:
- The Stafford issue did get raised, but DHS OGC shut it down and NSC said that this situation is a law enforcement issue, not an emergency management issue at this time.
- They discussed the possibility of a rapid flooding scenario (USACE's assessment is that the scenario is unlikely to play out, but is possible). NSC raised Region 8 planning with State/local planning efforts. The question (from DOD) was whether that planner would be able to speak to ESF-8 and ESF-9 aspects of the response. NSC assumed a FEMA planner would be able to reach back and work specific issues/requests (see action due today attached).

They also discussed two other contingencies in addition to the flash flood scenario:
1. What would happen if the protesters pack up camp, move to the other side of the Missouri River, and re-constitute near the unguarded drill pad? Meeting participants were not concerned by this prospect, as they argued that the state/local law enforcement would quickly evict the protesters (who would be on land clearly under state/local jurisdiction).
2. What would happen if thousands more protesters flow into the existing camps? Participants concluded that the protesters would most likely attempt to join the Sacred Stone camp, as the Oceti camp is soon to be under water and the Rosebud camp is being decommissioned. The DOI/BIA is responsible for LE on the Sacred Stone camp, and has augmented its force by 40 officers in anticipation of this contingency.

The question came up about how well the new Governor and his team in North Dakota understand emergency management authorities.

Joshua C Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
202-631-6877

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From: Dombrowski, Justin
Sent: 13 Feb 2017 15:26:05 +0000
To: Misenheimer, Kevin
Subject: RE: DAPL Follow Up

Copy, just got that chain too…thanks!

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Page 0264

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From: Dombrowski, Justin
Sent: 13 Feb 2017 15:19:59 +0000
To: Greff, Stacie
Subject: RE: DAPL Follow Up

Talking w/Jen, per a note you had w/her on Sat, Josh Dozor may be involved in follow-up meeting today. Just spoke w/Lee, he id'd folks to help support if needed and he's working w/Nancy who's working w/HQ.

From: Greff, Stacie
Sent: Monday, February 13, 2017 8:11 AM
To: Dombrowski, Justin
Subject: RE: DAPL Follow Up

We are receiving this from another federal agency? What did we hear from HQ? Who is involved at that level?

From: Dombrowski, Justin
Sent: Monday, February 13, 2017 8:10 AM
To: Dragani, Nancy ; Deal, Timothy ; Greff, Stacie ; Dick, Jennifer ; Appenrodt, Kathleen
Cc: Floyd, Megan
Subject: FW: DAPL Follow Up
Importance: High

Nancy, Tim, Team,

Note there are some actions for FEMA (HQ?) that came out of a meeting in DC on Fri. I don't have any additional details yet.

Pulled from attachment directly (5 total key items – 2 direct w/FEMA):

- The Federal Emergency Management Agency (FEMA) will provide an assessment of whether the situation in North Dakota may merit a presidential emergency declaration under the Stafford Act. FEMA's assessment will include a description of past precedent that may be relevant to the current situation. (Action: FEMA by February 13, 2017)
- DOJ and FEMA will assess whether and how, absent a Stafford Act declaration or external source of funding, the activation of Emergency Support Function (ESF) 13 could provide a Federal coordinating structure to enhance planning related to the situation in North Dakota. (Action: DOJ and FEMA by February 13, 2017)

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Page 0266

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From: Dombrowski, Justin
Sent: 13 Feb 2017 15:13:11 +0000
To: Greff, Stacie
Subject: RE: DAPL Follow Up

I don't know yet…I used to work w/Kevin when he was with the intl USFS office and he shared for SA as he checked in last week w/his new position if we were doing anything and sync'd w/Megan. About to ask Jen if she knows anything as would expect legal would be involved, not sure who else.

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Page 0268

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From: Dombrowski, Justin
Sent: 13 Feb 2017 16:08:26 +0000
To: Dragani, Nancy;Deal, Timothy;Greff, Stacie;Dick, Jennifer;Appenrodt, Kathleen
Cc: Floyd, Megan (Megan.Floyd@fema.dhs.gov);Depalo, Lee
Subject: RE: DAPL Follow Up

In follow-up, circled back w/Stacie, Jen and Lee…so dots are connected including Lee who has identified reps (planner/LNO types) that can support if needed and coordinating w/Nancy. Will see what DC comes up with on their meeting today. Thanks, Justin

---

From: Dombrowski, Justin
Sent: Monday, February 13, 2017 8:10 AM
To: Dragani, Nancy ; Deal, Timothy ; Greff, Stacie ; Dick, Jennifer ; Appenrodt, Kathleen
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From: Dombrowski, Justin
Sent: 17 Feb 2017 17:30:00 +0000
To: Greff, Stacie
Subject: RE: DAPL Prep

Still has wrong detail for LA riots (DR vs EM)

Sent from my mobile device.

From: Greff, Stacie
Sent: Friday, February 17, 2017 9:03:50 AM
To: Dombrowski, Justin
Subject: FW: DAPL Prep

Actual docs since cleaner than being pasted in.

From: Greff, Stacie
Sent: Thursday, February 16, 2017 5:10 PM
To: Dragani, Nancy ; Dick, Jennifer
Cc: Deal, Timothy
Subject: DAPL Prep

Nancy -- See the Attached Q/As, and background, along with the EFLEA pdf. Let us know if we can get you anything else!
Cell is best way to reach us or email. Thanks. Stacie

Stacie Greff
External Affairs Director
FEMA Region VIII
303.235.4774 (desk)
303.941.8668 (cell)
Stacie.Greff@fema.dhs.gov

From: Dombrowski, Justin
Sent: 17 Feb 2017 17:37:54 +0000
To: Greff, Stacie
Subject: RE: DAPL Prep

I did see ur other updates but if this updated clean attachment is supposed to be it, still missing ur email updates to it

Sent from my mobile device.

From: Greff, Stacie
Sent: Friday, February 17, 2017 9:33:10 AM
To: Dombrowski, Justin
Subject: RE: DAPL Prep

Nope. See the other updates email from me.

Sent from my iFEMA mobile device.

From: Dombrowski, Justin
Sent: Friday, February 17, 2017 5:30:00 PM
To: Greff, Stacie
Subject: RE: DAPL Prep

Still has wrong detail for LA riots (DR vs EM)

Sent from my mobile device.

From: Greff, Stacie
Sent: Friday, February 17, 2017 9:03:50 AM
To: Dombrowski, Justin
Subject: FW: DAPL Prep

Actual docs since cleaner than being pasted in.

From: Greff, Stacie
Sent: Thursday, February 16, 2017 5:10 PM
To: Dragani, Nancy ; Dick, Jennifer
Cc: Deal, Timothy
Subject: DAPL Prep

Nancy -- See the Attached Q/As, and background, along with the EFLEA pdf. Let us know if we can get you anything else!
Cell is best way to reach us or email. Thanks. Stacie

Stacie Greff
External Affairs Director
FEMA Region VIII
303.235.4774 (desk)
303.941.8668 (cell)
Stacie.Greff@fema.dhs.gov

From: Dombrowski, Justin
Sent: 13 Feb 2017 17:00:25 +0000
To: Greff, Stacie
Subject: RE: DAPL Protest (UNCLASSIFIED)

Thx ☺ Just had a quick catch up w/Tim and Katie on itâ€¦all goodâ€¦Tim always feels that Legal and EA should be looped in, which Jen is

From: Greff, Stacie
Sent: Monday, February 13, 2017 9:42 AM
To: Dombrowski, Justin
Subject: DAPL Protest (UNCLASSIFIED)

Iâ€™ll ensure you are looped in this time!

From: Depalo, Lee
Sent: Monday, February 13, 2017 9:38 AM
To: Dragani, Nancy ; Bibo, David
Cc: Dozor, Joshua ; Deal, Timothy ; Greff, Stacie
Subject: RE: DAPL Protest (UNCLASSIFIED)

Mr. Bibo, we have the following two personnel on standby to support:
Kevin Moore, Response Ops Chief
Lamont Hudson, ND State LNO
We will deploy them as headquarters directs.
Lee

Lee dePalo
Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990

FEMA

From: Dragani, Nancy
Sent: Saturday, February 11, 2017 2:11 PM
To: Bibo, David
Cc: Dozor, Joshua ; Deal, Timothy ; Depalo, Lee ; Greff, Stacie
Subject: RE: DAPL Protest (UNCLASSIFIED)

David

We can support with a planner and/or a liaison. For your awareness, late yesterday the state asked the R8 recovery director for the emergency dec template. He stressed that they were not intending to ask for a dec but of course, the fact that they asked seems to indicate that the potential for the ask is being considered.

I've copied our response director on this email so he has visibility on the potential ask for a planner and/or liaison. I've also copied EA as she has the Tribal program.

Regards

Nancy

Sent from my iFEMA mobile device.

From: Bibo, David
Sent: Saturday, February 11, 2017 11:17:48 AM
To: Dragani, Nancy
Cc: Dozor, Joshua; Deal, Timothy
Subject: RE: DAPL Protest (UNCLASSIFIED)

Nancy - please see emails below from ND TAG and the NSC Senior Director for Response. There's been some stir about ND potentially asking for a Stafford emergency declaration. We have concerns with that approach for a number of reasons.

What would be your thoughts about providing a Region VIII planner to a DOI- or USACE-led interagency team? We're trying to steer folks away from Stafford-based approaches, but at the same time if we have capabilities we think can help support the state in minimizing impacts from this ongoing challenge I want Josh to be prepared to offer them at Monday's meeting.

Regards,
Dave

Referred to Another Agency/Component

Page 0275

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Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

From: Dombrowski, Justin
Sent: 13 Feb 2017 15:21:50 +0000
To: Dick, Jennifer
Subject: RE: DAPL Protest (UNCLASSIFIED)

Ahh, maybeâ€¦just spoke w/Lee, heâ€™s id a couple of folks that could help up there if needed and is coord directly w/Nancy whoâ€™s coord w/Hq (Dozor maybe)

From: Dick, Jennifer
Sent: Monday, February 13, 2017 8:19 AM
To: Dombrowski, Justin
Subject: FW: DAPL Protest (UNCLASSIFIED)

I wonder if she mistakenly left you offâ€”see below . . .

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this message in error, please reply immediately to the sender and delete this message. Thank you.

From: Greff, Stacie
Sent: Saturday, February 11, 2017 5:00 PM
To: Dick, Jennifer
Subject: FW: DAPL Protest (UNCLASSIFIED)

You both should have visibility, so sharing...

Sent from my iFEMA mobile device.

From: Depalo, Lee
Sent: Saturday, February 11, 2017 10:00:54 PM
To: Dragani, Nancy; Bibo, David
Cc: Dozor, Joshua; Deal, Timothy; Greff, Stacie
Subject: RE: DAPL Protest (UNCLASSIFIED)

Copy all Nancy, I will pass you some options after I touch base with them. Needs to be someone both savvy on the Stafford Act and the Interagency with sufficient experience to have a voice at the table in my opinion.

Lee

Lee dePalo

Response Division Director
FEMA Region VIII
Cell: 720-456-9616

Desk: 303-235-4990

Sent from my iFEMA mobile device.

From: Dragani, Nancy
Sent: Saturday, February 11, 2017 2:11:19 PM
To: Bibo, David
Cc: Dozor, Joshua; Deal, Timothy; Depalo, Lee; Greff, Stacie
Subject: RE: DAPL Protest (UNCLASSIFIED)

David

We can support with a planner and/or a liaison. For your awareness, late yesterday the state asked the R8 recovery director for the emergency dec template. He stressed that they were not intending to ask for a dec but of course, the fact that they asked seems to indicate that the potential for the ask is being considered.

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Regards,
Dave

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Page 0278

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

Page 0279

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

From: Dombrowski, Justin
Sent: 13 Feb 2017 17:05:09 +0000
To: Greff, Stacie
Subject: RE: DAPL Protest (UNCLASSIFIED)

Yea, hope he didnâ€™t have to learn the hard-wayâ€¦

From: Greff, Stacie
Sent: Monday, February 13, 2017 10:04 AM
To: Dombrowski, Justin
Subject: RE: DAPL Protest (UNCLASSIFIED)

He has learned already that it is in his best interest if we are!
Iâ€™m working on ARA stuff for SD stuff later this week.

From: Dombrowski, Justin
Sent: Monday, February 13, 2017 10:00 AM
To: Greff, Stacie
Subject: RE: DAPL Protest (UNCLASSIFIED)

Thx ☺ Just had a quick catch up w/Tim and Katie on itâ€¦all goodâ€¦Tim always feels that Legal and EA should be looped in, which Jen is

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Lee
Lee dePalo
Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990

FEMA

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Cc: Dozor, Joshua ; Deal, Timothy ; Depalo, Lee ; Greff, Stacie
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Cc: Dozor, Joshua; Deal, Timothy
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Regards,
Dave

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From: Dombrowski, Justin
Sent: 14 Feb 2017 15:49:07 +0000
To: Hudson, Lamont;Bush, Tom;(b)(6)
Cc: Greff, Stacie;Depalo, Lee
Subject: RE: ND...any buzz on possible emerg dec request?

Ok, thanks Lamont and nothing new from Tom B either.
Will be important that someone (Response?) circles back w/Alan before his trip to ensure he knows what can/cannot be said in reference to FEMA/Stafford Act/declarations, etc.

From: Hudson, Lamont
Sent: Tuesday, February 14, 2017 8:43 AM
To: Dombrowski, Justin ; Bush, Tom ;(b)(6)
Cc: Greff, Stacie ; Depalo, Lee
Subject: RE: ND...any buzz on possible emerg dec request?

Hi Justin,
From Sean Johnson, North Dakota Lead Planner â€“
â€œIf and when we submit any declaration request, we will follow channels through Region VIII to the President. So, your office will be among the first to know if such a decision is made.â€
So they have not submitted a declaration request. Alan Colon, ESF-13 Liaison and counterpart are scheduled to travel to North Dakota and meet with the State next week to discuss possible options in gaining support/assistance for the required resolution and clean-up of the Standing Rock DAPL Protest Camp. There will be more to follow after those meetings.
Respectfully,
Lamont Hudson
DHS/FEMA Region VIII - Logistics
Ordering Unit Lead
Denver Federal Center, Bldg. #20
Office: 303-235-4851
Cell: 303-842-4682
Fax: 303-233-2504
â€œTeamwork makes the DREAM work.â€

From: Dombrowski, Justin
Sent: Tuesday, February 14, 2017 8:01 AM
To: Hudson, Lamont ; Bush, Tom ;(b)(6)
Cc: Greff, Stacie
Subject: ND...any buzz on possible emerg dec request?
Importance: High

I know on just the template request Fri but hq was asking if they submitted a request last nite, have you heard anthing? Thx, Justin

From: Dombrowski, Justin
Sent: 14 Feb 2017 16:02:48 +0000
To: Depalo, Lee;Hudson, Lamont;Bush, Tom;(b)(6)
Cc: Greff, Stacie
Subject: RE: ND...any buzz on possible emerg dec request?

Copy, thanks Lee, hope he stays in his lane, as some issues seem to be building from our OFAs vs the state.

From: Depalo, Lee
Sent: Tuesday, February 14, 2017 9:00 AM
To: Dombrowski, Justin ; Hudson, Lamont ; Bush, Tom ; (b)(6)
Cc: Greff, Stacie
Subject: RE: ND...any buzz on possible emerg dec request?

We've already done that

Lee dePalo

Response Division Director
FEMA Region VIII
Cell: 720-456-9616
Desk: 303-235-4990

Sent from my iFEMA mobile device.

From: Dombrowski, Justin
Sent: Tuesday, February 14, 2017 8:49:07 AM
To: Hudson, Lamont; Bush, Tom;(b)(6)
Cc: Greff, Stacie; Depalo, Lee
Subject: RE: ND...any buzz on possible emerg dec request?

Ok, thanks Lamont and nothing new from Tom B either.
Will be important that someone (Response?) circles back w/Alan before his trip to ensure he knows what can/cannot be said in reference to FEMA/Stafford Act/declarations, etc.

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Cc: Greff, Stacie ; Depalo, Lee
Subject: RE: ND...any buzz on possible emerg dec request?

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Office: 303-235-4851
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â€œTeamwork makes the DREAM work.â€

From: Dombrowski, Justin
Sent: Tuesday, February 14, 2017 8:01 AM
To: Hudson, Lamont ; Bush, Tom ; (b)(6)
Cc: Greff, Stacie
Subject: ND...any buzz on possible emerg dec request?
Importance: High

I know on just the template request Fri but hq was asking if they submitted a request last nite, have you heard anthing? Thx, Justin

From: Dombrowski, Justin
Sent: 11 Feb 2017 00:40:59 +0000
To: Appenrodt, Kathleen;Dick, Jennifer
Subject: RE: Notes from DAPL call today

Jen and I chatted with Nancy after, can fill ya in on Mon...

Sent from my mobile device.

From: Appenrodt, Kathleen
Sent: Friday, February 10, 2017 4:30:02 PM
To: Dombrowski, Justin; Dick, Jennifer
Subject: RE: Notes from DAPL call today

Interesting, thanks for sharing.

Sent from my iFEMA mobile device.

From: Dombrowski, Justin
Sent: Friday, February 10, 2017 4:13:46 PM
To: Appenrodt, Kathleen; Dick, Jennifer
Subject: FW: Notes from DAPL call today

Well, looking at the notes, can see how Alan/ESF13 spun up the discussion…

From: Dragani, Nancy
Sent: Friday, February 10, 2017 4:03 PM
To: Greff, Stacie ; Dombrowski, Justin
Subject: FW: Notes from DAPL call today
From: Depalo, Lee
Sent: Friday, February 10, 2017 12:31 PM
To: Dragani, Nancy
Cc: Deal, Timothy
Subject: FW: Notes from DAPL call today

Nancy, notes from the call that ESF-13 mentioned in today's SA meeting are attached.
Lee

Lee dePalo
Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990

FEMA

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From: Dombrowski, Justin
Sent: 12 Feb 2017 02:22:05 +0000
To: Greff, Stacie
Subject: RE: Notes from DAPL call today

Interesting, ok thx

Sent from my mobile device.

From: Greff, Stacie
Sent: Saturday, February 11, 2017 4:03:24 PM
To: Dombrowski, Justin
Subject: RE: Notes from DAPL call today

Some traffic today on this with Hq. Looks like we may provide a planner to ofa. Monday we'll compare note.

Sent from my iFEMA mobile device.

From: Dombrowski, Justin
Sent: Saturday, February 11, 2017 12:12:44 AM
To: Greff, Stacie
Subject: FW: Notes from DAPL call today

Had a follow up w/Nancy and Jen, we can discuss on Monday...J

Sent from my mobile device.

From: Dragani, Nancy
Sent: Friday, February 10, 2017 3:03:15 PM
To: Greff, Stacie; Dombrowski, Justin
Subject: FW: Notes from DAPL call today

From: Depalo, Lee
Sent: Friday, February 10, 2017 12:31 PM
To: Dragani, Nancy
Cc: Deal, Timothy
Subject: FW: Notes from DAPL call today

Nancy, notes from the call that ESF-13 mentioned in today's SA meeting are attached.
Lee

Lee dePalo
Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990

FEMA

Referred to Another Agency/Component

From: Dombrowski, Justin
Sent: 17 Feb 2017 17:41:45 +0000
To: Greff, Stacie
Subject: RE: One change: DAPL Prep (pasted into email if needed)

Copy just wasn't sure if u wanted updated in the word document

Sent from my mobile device.

From: Greff, Stacie
Sent: Friday, February 17, 2017 9:39:33 AM
To: Dombrowski, Justin
Subject: One change: DAPL Prep (pasted into email if needed)

I corrected with Nancy last night.

From: Greff, Stacie
Sent: Friday, February 17, 2017 10:04 AM
To: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: FW: One change: DAPL Prep (pasted into email if needed)

From: Greff, Stacie
Sent: Thursday, February 16, 2017 11:25 PM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: One change: DAPL Prep (pasted into email if needed)

One clarification from points:

Riots were a DR (PA, IA, HMGP).
Boston bombing was an EM.

Sent from my iFEMA mobile device.

From: Dragani, Nancy
Sent: Friday, February 17, 2017 12:51:41 AM
To: Greff, Stacie; Dick, Jennifer
Cc: Deal, Timothy
Subject: RE: DAPL Prep (pasted into email if needed)

Thanks! I'll back brief when I get to the airport tomorrow night.

Sent from my iFEMA mobile device.

From: Greff, Stacie
Sent: Thursday, February 16, 2017 7:22:23 PM
To: Dragani, Nancy; Dick, Jennifer
Cc: Deal, Timothy
Subject: DAPL Prep (pasted into email if needed)

ARA North Dakota Background / Talking Points – DAPL Issue:

Potential Questions/Answers:

Q: What about the Stafford Act for an Emergency or Major Declaration?
A: The Stafford Act is not an appropriate approach for this situation.

Q: Why isn't Stafford appropriate?
A: Here are the reasons:

- Stafford is not appropriate where another federal agency has specific authority to address a state need.
  - DOJ has specific authority to declare law enforcement emergencies.
- Stafford also is not appropriate to supplement lack of funding of another federal agency that has the authority to respond.
- Stafford Act has not been approved for recent incidents where states were seeking supplementary law enforcement assistance.
  - June 2016 – Orlando mass shooting. Emergency declaration denied.
  - June 2015 – Baltimore civil unrest. Emergency declaration denied.
  - DOJ provided $1M in grant assistance for both events listed above.

Q: Wait, didn't FEMA give a declaration for the Boston Marathon bombing?
A: Yes, FEMA did. However, they provided support for response and security activities, not law enforcement investigations. Of note, DOJ provided assistance through the Emergency Federal Law Enforcement Assistance (EFLEA) grant. ($1.9M)

Q: Hey, what about the LA Riots? FEMA granted assistance.
A: An Emergency Declaration was granted to manage the response to fire hazards, not to manage the enforcement of law.

Q from the Governor: Even though you say that Stafford isn't appropriate, I can ask FEMA for an Emergency Declaration, right?
A: Governor, it is always your right to request assistance through FEMA to the President for a federal disaster declaration. However, this situation does not fit Stafford Act given that the need is for law enforcement.

Q: Can FEMA provide anything if you are saying a declaration is unlikely?
A: FEMA would be able to provide technical assistance with planning if the state sees that as a need.

For your background:

A Major Declaration is specific to natural catastrophe, fire and explosion.

An Emergency Declaration has a broader definition. However, it is still not appropriate based on the above points relating to other agencies' specific authorities and prior declaration precedent.

Emergency Federal Law Enforcement Assistance (EFLEA) grant:
https://www.ncjrs.gov/pdffiles/eflea.pdf

- Federal law enforcement assistance to a state overwhelmed by a law enforcement emergency
- Assistance provided can include "funds, equipment, training, intelligence information, [or] personnel.

Talk about the fact that you have been in touch with Grez Wilz to monitor the situation.

Stress you were in South Dakota supporting their recent disaster and decided to get some on the ground awareness.

Highly recommend that you attend on your own and that Nancy Casper and Jon Huss do not participate. We need to keep this as low-key as we possibly given the situation.

Go in normal dress, not FEMA gear.

Nancy E. Gist, Director
U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

The Emergency Federal Law Enforcement Assistance Program

The Federal Government administers a variety of

assistance programs to provide a coordinated response to State and local governments stricken by natural dis- asters. During such extraordinary circumstances, when State or local agencies are incapable of unilaterally coping with the aftermath of a flood, hurricane, tornado, or other natural calamity, the Federal Government has come to their aid with a multiagency response.
Although the Federal Government has programs to assist State and local governments with natural disasters, until 1984 there was no coordinated Federal response for any other type of emergency. A number of events occurring in the late 1970's and early 1980's are examples of the types of unexpected law enforcement emergencies State and local agencies may face: the Atlanta child murders; the Los Angeles Night Stalker, San Francisco Zodiac, and Seattle Green River serial murder investigations; and the Mariel Cuban boatlift. Although the Federal Government's primary law enforcement role is to enforce Federal criminal statutes, it can play an ancillary role by assisting State and local governments with unexpected law enforcement emergencies that overwhelm their capacities to respond.

Program Scope and Purpose

On October 12, 1984, the Emergency Federal Law Enforcement Assistance (EFLEA) Program was enacted into law as part of the Justice Assistance Act of 1984 (Public Law 98–473) and is now administered by the Bureau of Justice Assistance (BJA), Office of Justice Programs, U.S. Department of Justice. Its function is to assist State and/or local units of government in responding to law enforcement emergencies through the
provision of Federal law enforcement assistance. The
EFLEA Program authorizes the Attorney General to provide funds, equipment, training, intelligence information, and personnel to help alleviate emergency situations. It also authorizes the Director of BJA to assist the Attorney General in providing EFLEA assistance and coordinating program activities.
Congress' intent in passing the EFLEA Program was to create an assistance program to address extraordinary circumstances that have the potential to create serious threats to public safety. Congress limited the number of eligible law enforcement emergencies by restricting applicability to situations in which State and local re- sources have been completely exhausted or are inadequate to deal with a law enforcement emergency. The legislative history of the Justice Assistance Act of 1984 indicates that Congress expected few emergencies to be dire enough to require Federal involvement through EFLEA. The program was never intended to be a routine source of Federal financial assistance for criminal justice activities.
Section 609N(3) of the Justice Assistance Act clearly delineates the purpose of EFLEA and limits its applicability by defining a "law enforcement emergency" as:

> . . . an uncommon situation which requires law enforcement, which is or threatens to become of serious epidemic proportions, and with respect to which State and local resources are inadequate to protect the lives and property of citizens or to enforce the criminal law, except that such term **does not** [emphasis added] include the perceived need for
> planning or other activities related to crowd control
>
> for general public safety projects, or a situation requiring the enforcement of laws associated with scheduled public events, including political conventions and sports events.

The EFLEA Program serves a special purpose in alleviating damage resulting from a law enforcement emergency and providing financial support for actions taken to prevent further losses.

Eligibility for Program Assistance

If a law enforcement emergency exists throughout a State or in part of a State, the State may submit an application for itself or for units of local government to the U.S. Attorney General for

EFLEA Program assis- tance. The application must meet certain criteria and be submitted in writing by the Governor in accordance with established EFLEA application guidelines, as described in the following sections.

Key Determining Factors

The Attorney General evaluates EFLEA Program applications based on the likelihood that the situation will escalate into a law enforcement emergency of epi- demic proportions, posing an imminent threat to public safety. The law enforcement emergency must be of sufficient magnitude to overwhelm the State or local government's ability to respond. Based on these criteria, the Attorney General approves or disapproves funding awards within 10 days after receiving the application.

Application Requirements

The Governor should submit a written application and signed transmittal letter that include the following elements:

- **Problem.** A description of the nature and extentof the law enforcement emergency, including the specific identification and description of the political and jurisdictional subdivision(s) where the emergency exists.
- **Resources.** A description of the State and local criminal justice resources available to address the emergency and an explanation of why and to what degree they are insufficient.
- **Required assistance.** A specific statement of the funds, equipment, training, intelligence information, and/or personnel requested and a description of their intended use.
- **Other assistance.** Information about any other assistance the State or appropriate unit of government has received or could receive under the provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.
- **Complete line-item budget.** A budget accompanied by a detailed narrative explaining all costs for which EFLEA funding is requested and showing how such costs were derived.
- **Signed and dated assurance statement.** A statement certifying compliance with applicable Federal statutes, regulations, policies, guidelines, and requirements.
- **Certificationstatements.** Statements concerning lobbying, debarment, suspension, drug-free workplace requirements, and other responsibility matters.
- **Disclosure of lobbyingactivities.** A description of any lobbying activities in which the applicant may be engaged, if the amount of the application exceeds $100,000.

Program Limitations

The EFLEA Program is not a grant program for normal and customary criminal justice expenditures; therefore, the following activities are not eligible for funding:

- **Land acquisition.** No funds are to be used to purchase or acquire land.
- **Supplantation.** No funds are to be used to sup- plant State or local funds that would otherwise be made available for such purposes.
- **Civil justice.** No funds or other assistance are to be used for civil justice matters, except to the extent that such matters relate directly and substantially to, or are inextricably intertwined with, criminal justice matters.
- **Use of Federal law enforcement personnel.** Federal law enforcement personnel may not be used to investigate violations of criminal law other than violations for which investigation is authorized by other pro- visions of law (Section 6090(a) of the Justice Assistance Act).

❑ **Direction, supervision, and control.** Neither the Attorney General nor the Federal law enforcement community may exercise any direction, supervision, or control over any applicant's police force or other criminal justice agency (Section 6090(b) of the Justice Assistance Act).

Examples of Recent Awards

EFLEA awards have been made for the following extraordinary law enforcement emergencies:

- **Suspicious deaths.** In June 1995, the State of Indiana requested funds to assist in investigating suspicious deaths in the intensive care unit of the Vermillion County Hospital in Clinton. The State was awarded $330,578 to support task force efforts in conducting a homicide investigation, exhuming dozens of bodies buried in cemeteries in several States, conducting autopsies and forensic analyses, and securing medical experts.

- **Rodney King/Reginald Denny cases.** In April 1993, the State of California requested funds for law enforcement overtime to amass a sufficiently large presence of State and local law enforcement officers to prevent civil disturbances. The State had incurred extraordinary overtime expenses during jury deliberations in the civil rights trial of police officers prosecuted for assaulting Rodney King and in the aftermath of the verdict convicting the assailants of truck driver Reginald Denny. The State was awarded $1 million.

- **Waco standoff.** In March 1993, the State of Texas requested funds for overtime accrued by law enforcement officers of the Texas Department of Public Safety and the McClennan County Sheriff's Office who were directly engaged in the Waco standoff between the Branch Davidian religious sect and law enforcement. The State was awarded a grant of $625,312.

- **Gainesville Homicide Task Force.** In September 1990, the State of Florida requested emergency funding for its Gainesville Homicide Task Force. The task force was investigating five murders committed within 1 week by a serial killer. Florida received an initial and a supplemental award totaling $1.14 million for over- time, fringe benefit costs, travel, and for associated expenses such as aircraft operations, equipment rental, and office supplies.

- **San Francisco earthquake.** In December 1989, the State of California submitted an application requesting assistance for law enforcement's response to the San Francisco earthquake. An award of $4.96 million was approved for law enforcement overtime, replacement or repair of damaged equipment, and emergency repairs to critical law enforcement facilities.

- **Hurricane Hugo.** In October and December of 1989, the State of South Carolina submitted applications requesting assistance for law enforcement's response to Hurricane Hugo. Two awards totaling $2.7 million were approved for law enforcement overtime, replacement or repair of damaged equipment, and emergency repairs to critical law enforcement facilities.

For Further Information

Detailed information about the EFLEA Program may be found at Title 28, Code of Federal Regulations, Chapter 1, Part 65. The program is codified at Title 42, United States Code, Section 10501. An application kit with additional information is available from:

Emergency Federal Law Enforcement Assistance (EFLEA) Program
Bureau of Justice Assistance 633 Indiana Avenue NW. Washington, DC 20531
202–616–2356

FS000034
September 1996

From: Dombrowski, Justin
Sent: 13 Feb 2017 15:05:37 +0000
To: 'Misenheimer, Kevin';Floyd, Megan
Subject: RE: DAPL Follow Up

Thanks for the heads-up Kevin! Will share w/leadership team in the region as we were not aware at least end of day Friday, J

Referred to Another Agency/Component

From: Dombrowski, Justin
Sent: 13 Feb 2017 15:13:36 +0000
To: (b)(6)
Subject: RE: DAPL Follow Up

Kevin, in addition, do you know who was involved at FEMA on Fri w/this meeting?

Referred to Another Agency/Component

From: Dombrowski, Justin
Sent: 10 Feb 2017 23:13:18 +0000
To: Dragani, Nancy;Greff, Stacie
Subject: RE: Notes from DAPL call today

Thanks Nancy, looking at the notes, can see how Alan may have spun up the interest.

From: Dragani, Nancy
Sent: Friday, February 10, 2017 4:03 PM
To: Greff, Stacie ; Dombrowski, Justin
Subject: FW: Notes from DAPL call today
From: Depalo, Lee
Sent: Friday, February 10, 2017 12:31 PM
To: Dragani, Nancy
Cc: Deal, Timothy
Subject: FW: Notes from DAPL call today

Nancy, notes from the call that ESF-13 mentioned in today's SA meeting are attached.
Lee

Lee dePalo
Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990

FEMA

Referred to Another Agency/Component

From: Dombrowski, Justin
Sent: 13 Feb 2017 15:23:31 +0000
To: Depalo, Lee
Subject: DAPL Follow Up
Attachments: SOC_Dakota Access_2.10.2017_Final.pdf

Lee, here is the summary from a mtg on Fri that came through other agency channels for SA, J

MEETING ON THE DAKOTA ACCESS PIPELINE

Date: February 10, 2017
Time: 1:00 - 2:30 p.m.
Location: EEOB 350

SUMMARY OF CONCLUSIONS

Select departments and agencies met to discuss potential life and health risks posed by Spring-time floods to protest camps near the Dakota Access Pipeline drill site in North Dakota.

- The Departments of Justice (DOJ), Defense (DoD), and the Interior (DOI) will determine which Federal agency owns the land in the Canon Ball River floodplain, on which the protesters have established their camps, and which agency(ies) has authority to issue and enforce trespass notices. **(Action: DOJ, DoD, and DOI by February 13, 2017)**

- The Federal Emergency Management Agency (FEMA) will provide an assessment of whether the situation in North Dakota may merit a presidential emergency declaration under the Stafford Act. FEMA's assessment will include a description of past precedent that may be relevant to the current situation. **(Action: FEMA by February 13, 2017)**

- DOJ will provide an assessment from the U.S. Attorney for the District of North Dakota as to the additional law enforcement resources necessary to manage the situation in and around the protest camps. **(Action: DOJ by February 13, 2017)**

- The Department of Homeland Security (DHS) will provide an answer to the Governor of North Dakota's letter requesting DHS law enforcement assistance. **(Action: DHS by February 13, 2017)**

- DOJ and FEMA will assess whether and how, absent a Stafford Act declaration or external source of funding, the activation of Emergency Support Function (ESF) 13 could provide a Federal coordinating structure to enhance planning related to the situation in North Dakota. **(Action: DOJ and FEMA by February 13, 2017)**

From: Dombrowski, Justin
Sent: 13 Feb 2017 15:09:40 +0000
To: Dragani, Nancy;Deal, Timothy;Greff, Stacie;Dick, Jennifer;Appenrodt, Kathleen
Cc: Floyd, Megan (Megan.Floyd@fema.dhs.gov)
Subject: FW: DAPL Follow Up
Attachments: SOC_Dakota Access_2.10.2017_Final.pdf
Importance: High

Nancy, Tim, Team,
Note there are some actions for FEMA (HQ?) that came out of a meeting in DC on Fri. I don't have any additional details yet.
Pulled from attachment directly (5 total key items – 2 direct w/FEMA):

- The Federal Emergency Management Agency (FEMA) will provide an assessment of whether the situation in North Dakota may merit a presidential emergency declaration under the Stafford Act. FEMA's assessment will include a description of past precedent that may be relevant to the current situation. (Action: FEMA by February 13, 2017)
- DOJ and FEMA will assess whether and how, absent a Stafford Act declaration or external source of funding, the activation of Emergency Support Function (ESF) 13 could provide a Federal coordinating structure to enhance planning related to the situation in North Dakota. (Action: DOJ and FEMA by February 13, 2017)

Referred to Another Agency/Component

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From: Dombrowski, Justin
Sent: 22 Feb 2017 16:48:57 +0000
To: Dragani, Nancy
Subject: DAPL youtube link?

Good morning Nancy, could this be the youtube video you were referencing? It's dated 2/16/17 at 1:45p, 24:31 minutes long, sourced from the Valley Forge Network and titled: Standing Rock – Eviction Notice served @ Sacred Stone Camp - https://www.youtube.com/watch?v=vESxOirI0fo

tried a quick youtube search for last Thursday and this came up, most others are at least 2 weeks old if not older.

From: Dombrowski, Justin
Sent: 18 Jan 2017 22:42:47 +0000
To: DeFelice, Jerome;Greff, Stacie
Subject: RE: Clip: ND tribal

Interesting, letâ€™s make sure to stay outta this one!

From: DeFelice, Jerome
Sent: Wednesday, January 18, 2017 3:18 PM
To: Greff, Stacie ; Dombrowski, Justin
Subject: Clip: ND tribal

Interestingâ€¦

North Dakota National Guard reportedly deploys anti-drone system at oil pipeline protest site

Published January 18, 2017
Â· FoxNews.com

The North Dakota Army National Guard reportedly deployed an â€œanti-drone missile systemâ€ at the site of the Dakota Access oil pipeline on Tuesday.

North Dakota Guard spokesman William Prokopyk confirmed to The Daily Beast the presence of the Avenger missile system. He added that the system was put in place â€œstrictly in the observation role.â€

The Morton County Sheriffâ€™s Department echoed Prokpykâ€™s statements, adding that the systems â€œare used strictly for observation of ungoverned encampments to help protect private property and maintain public safety,â€ according to The Daily Beast.

Jon Ziegler, who describes himself as a â€œcitizen journalist,â€ spotted the surface-to-air missile launchers at the site. He wrote in a Facebook post that they were â€œguarding the DAPL drill pad.â€

The Avenger Air Defense System is described as a surface-to-air missile system that can defend against cruise missiles, UAVs, fixed-wing aircraft and helicopters. The news website reported that the North Dakota Army National Guardâ€™s air defense has the ability to operate the Avenger system.

The presence of the system could exacerbate things between the Standing Rock protesters and authorities. Police have already shot down a drone for â€œoperating in a threatening mannerâ€ and used water cannons on protesters in frigid temperatures.

Additionally, the Texas-based Energy Transfer Partners asked a judge Tuesday to stop the U.S. Army Corps of Engineers from launching a full environmental study of the $3.8 billion pipelineâ€™s disputed crossing of a Missouri River reservoir in North Dakota.

ETP wants any further study put on hold until Judge James Boasberg, in Washington, D.C., rules on whether ETP already has the necessary permission to lay pipe under Lake Oahe â€” the reservoir that's the water source for the Standing Rock Sioux tribe.

The stretch under Lake Oahe is the last big chunk of construction for the 1,200-mile pipeline. The Corps wants to look at alternate routes, the potential for a pipeline leak and tribal treaty rights in the wake of opposition by the Standing Rock Sioux and its supporters who believe a pipeline leak would contaminate the tribe's drinking water.

An environmental assessment conducted by the Corps last year determined that the Oahe crossing would not have a significant impact on the environment. However, Assistant Army Secretary for Civil Works Jo-Ellen Darcy said in December that a broader environmental impact statement was warranted. Such a statement can take up to two years to complete, according to the U.S. Department of Energy.

The Standing Rock Sioux tribe has been urging people to lobby the Corps to start the environmental impact study before President-Elect Donald Trump, an energy supporter, takes office Friday. The tribe in

a statement Tuesday said it's confident that a full environmental study would be "the best way to analyze the alternative routes."

The Associated Press contributed to this report.

From: Dombrowski, Justin
Sent: 23 Feb 2017 22:21:32 +0000
To: Greff, Stacie
Subject: RE: Lamont

Good deal, hope it stays this way...

Sent from my mobile device.

From: Greff, Stacie
Sent: Thursday, February 23, 2017 2:20:04 PM
To: Dombrowski, Justin
Subject: FW: Lamont

Fysa

Sent from my iFEMA mobile device.

From: Floyd, Megan
Sent: Thursday, February 23, 2017 10:13:05 PM
To: Greff, Stacie
Subject: RE: Lamont

No. Things have been as peaceful as I think we could have hoped for. The few arrests haven't been violent (at least that I have heard about) and the burning of the structures was a ceremony end to the camp. Things could have gotten really bad, but overall, this has been a decent process.

It does look like there will be a protest/camp in DC in March to protest the DAPL but I haven't seen anything from a good source yet.

From: Greff, Stacie
Sent: Thursday, February 23, 2017 3:09 PM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: Lamont

Anything additional from your end that was missed?

Sent from my iFEMA mobile device.

From: Kimbrough, Lynn
To: Megan Floyd (Megan.Floyd@fema.dhs.gov); Carol Garcia (carol.garcia@fema.dhs.gov)
Subject: FYSA
Date: Friday, April 07, 2017 7:53:00 AM

I'm doing the ND and SD clips this morning and saw this:

Tribal leader found guilty on four counts of sexual abuse

- CAROLINE GRUESKIN Bismarck Tribune

After four hours of deliberation, a 12-person federal jury found the Cannon Ball district chairman guilty of sexually abusing a young girl.

Robert Fool Bear Sr., 54, was convicted Thursday on three counts of sexual abuse of a child and one count of incest. The jury acquitted him of physically assaulting the girl.

Though the counts refer to incidents recounted at trial, the allegation was that Fool Bear raped the girl repeatedly for at least four years, beginning when she was 10 years old.

U.S. District Judge Daniel Hovland scheduled sentencing for Aug. 23. Fool Bear faces a minimum of 30 years in prison.

The lead witness at trial was the young woman who testified to years of sexual abuse at the hands of Fool Bear. The lead question before the jury was whether the troubled girl could be trusted.

After the verdict was announced, Hovland commended the young woman, who was seated in the audience, for speaking out.

"It takes a lot of courage to come into a federal courtroom and testify in a case like this," Hovland said. "I hope someday you can weather this well, go on with your life and put all this chaos behind you."

He asked the U.S. Attorney's Office and FBI to investigate potential charges against anyone who knew of and did not report the abuse.

Fool Bear, who was in the community on electronic monitoring before trial, was taken away in handcuffs from the courtroom after a quick hug with his wife. He maintained his innocence before and during trial.

During the three-day trial, Assistant U.S. Attorney Gary Delorme called upon the young woman, medical experts and FBI agent to prove his case. They testified that the girl was sexually and physically abused by Fool Bear, which may have contributed to the complex post-traumatic stress disorder she suffers.

Fool Bear chose not to testify on his own behalf. His attorney Carey Goetz defended him by raising doubt for the jury about the young woman's credibility. She also questioned whether expert testimony truly corroborated the girl's story.

Delorme said after trial he hoped the conviction would encourage other young people on Standing Rock to report abuse.

Goetz said the question of whether to appeal would not be decided until after sentencing.

Fool Bear was district chairman of the 900-person town since 2005. Most recently, he was vocal about wanting the Dakota Access Pipeline protesters to move out of the area. He argued they were harming community resources, such as the gym, and preventing North Dakota from reopening Highway 1806 for months. He led meetings in January at which residents passed a resolution ordering protesters to leave.

According to Title 20 of Standing Rock tribal laws, Fool Bear's seat shall be forfeited due to the

conviction, and Cannon Ball will need to hold a special election within 60 days.

Lynn Kimbrough | External Affairs Specialist
FEMA Region VIII
Lynn.Kimbrough@fema.dhs.gov
303-235-4943 (O) 202-706-0833 (C)

Frank,

This Region 8 input for the NEMA briefing memo has been reviewed and approved by:

Nancy Dragani, Region 8 Acting Regional Administrator
Dragani, Nancy nancy.dragani@fema.dhs.gov
(303) 235-4840
Jennifer Dick, Regional Counsel
Dick, Jennifer Jennifer.Dick@fema.dhs.gov
(303) 235-4840
Stacie Greff, Region 8 External Affairs Officer
Greff, Stacie Stacie.Greff@fema.dhs.gov
(303) 235-4840

Region VIII NEMA input for NEMA briefing memo

Colorado:

- Mitigation recently determined that two Boulder County properties were ineligible for buy-out based upon FEMA's policy on the "Limits on Subsurface Uses" associated with hydraulic fracturing and horizontal directional drilling. The properties were deemed ineligible because under Colorado law they would remain subject to potential forced pooling and subsurface activity following acquisition. Throughout Colorado and many other states, mineral rights are often owned separately from surface rights. A further complication is that many states, including Colorado and all Region VIII states, have statutory or forced pooling laws, allowing subsurface activity without owner consent. The Region anticipates an appeal from Boulder County and continues to engage HQ FIMA on the implications of the policy, not only to Colorado and Region VIII, but other states.

- Landslides present acute and/or long-term threats to some 20-80 homes in Colorado Springs. There appeared to be money available from the Hazard Mitigation Grant Program for earlier disasters as well as perhaps other federal funds to cope with the short-term threat, though the process was seen as slow and the problem could worsen. FEMA's current policy on the "Limits of Subsurface Uses" and its application may also affect eligibility for these landslide acquisitions.

Oglala Sioux DR 4237: This event was the first direct Individual Assistance declaration to an Indian Tribe.

- To address the severe housing challenges faced by the tribe, the Permanent Housing Construction Program was implemented for the first time within the Lower 48 United States. Through September 1, a total of 196 damaged residences had been replaced with manufactured homes and 100 of the planned 107 homes were repaired by FEMA contractors. All repairs are expected to be completed by September 9, 2016.
- This is one of the largest housing missions ever accomplished on the Pine Ridge Reservation.

Non-Stafford Act issues: Several non-FEMA issues are of particular concern now to Region VIII state emergency managers.

- In North Dakota, protests by the Standing Rock Sioux and perhaps 90 other tribes against an oil pipeline currently under construction have gained national and international attention.
- In Montana, parasites have killed a large number of fish, prompting the shutdown of 180 miles of the Yellowstone River and causing economic distress to the tourism industry there.

- In Utah, two of this desert region's water sources have come under threat, one from an extraordinary algae bloom and another from an accidental spread of toxic mine waste from a reservoir.

# # #

Jeanine's edits, though she suggested removing these:

(b)(5)

Randy draft, 8/31/16
Region VIII

(b)(5)

# # #

From: Kimbrough, Lynn
To: R8 External Affairs
Subject: Notes on CAD call
Date: Tuesday, February 14, 2017 2:53:00 PM

Sorry this is so late.

Hot Issues:

- DHS is tracking all of the new relevant Executive Orders and continues working on a process to create and share talking points.
- NFIP reauthorization is now becoming a primary focus with congressional; the first hearing is scheduled for next month.

Legislative Front:

Hearings:

- There is a hearing today on FEMA issues, including making the Children's Advisor permanent and moving forward on national preparedness for children
- There are discussions about expanding the definition of "law enforcement" to broaden it to "public safety" in the context of issues related to sanctuary cities

Roll Call

- **Region IV** Letters went out yesterday
- **Region V** Will be doing NFIP 101 with the R5 congressional staff
- **Region VIII** Reported that Randy and team had deployed to SD for PDAs along with Daniel Green and the IMAT. There was a specific question from HQ about what we are hearing regarding the Dakota access pipeline issue; HQ indicated they are hearing a lot of rumors. Replied that I had no information, but that we were aware of potential flooding issues around the camp and were monitoring.
- **Region IX** Two more declarations are pending, one each in CA and NV, and there is an Emergency Dec in place for Oroville

StratCom Working on questions regarding commodities reimbursement from R9 and the Oroville Dam flooding.

Lynn Kimbrough | External Affairs Specialist
FEMA Region VIII
Lynn.Kimbrough@fema.dhs.gov
303-235-4943 (O) 202-706-0833 (C)

From: Kimbrough, Lynn
To: Carol Garcia (carol.garcia@fema.dhs.gov)
Subject: dakota clips
Date: Monday, March 27, 2017 8:51:00 AM
Attachments: clips.docx

Here's what I've found. All North Dakota, nothing from South Dakota.

NORTH DAKOTA

Burgum signs emergency order for Walsh County flooding

John Hageman AND Julia Cardi Forum News Service BISMARCK TRIBUNE
Mar 25, 2017

Gov. Doug Burgum declared a state of emergency for Walsh County on Friday based on threats of "major flooding."

The governor's executive order activates the North Dakota State of Emergency Operations Plan, which puts state agencies such as the North Dakota National Guard on standby for flood response, according to a news release from the governor's office.

Burgum is requesting flood preparation help from the U.S. Army Corps of Engineers, and an emergency declaration is needed to obtain federal support, the governor's office said. Brent Nelson, emergency manager for Walsh County, said he expects to find out this weekend whether the request has been approved.

"The current financial situation of the state due to the economic downturns in the agricultural and crude oil markets, coupled with unforeseeable expenses associated with the Dakota Access Pipeline protest response, makes federal support a necessity," the order says.

Nelson said the area is expected to see significant runoff starting late this weekend into Monday, and will likely reach the flood stage by March 29.

The most recent flood outlook from the National Weather Service projects a crest range of 14 to 16 feet for the Park River at Grafton around April 1, which would be close to the record flood crest set in 2013. The news release cites heavy snowpack, frozen and saturated soils and a climate outlook that "indicates above-normal precipitation trends."

Nelson said Grafton will likely begin closing roads Monday to determine how high to construct temporary levees. He said the town has about 1,200 sandbags filled for the purpose.

Nelson encouraged residents to have sewer plugs ready in the case of power failures and to not drive over flooded roads outside town. He said the Walsh County Highway Department can provide sandbag supplies to rural residents if needed.

"Some of it still depends on how fast everything starts melting and moving," he said. "We're kind of waiting for the whole melt process to proceed a little bit farther so we can get a feel on how fast some of this meltwater is going to show up."

Actress Woodley signs plea deal for protesting Dakota Access Pipeline

Amy Dalrymple Forum News Service BISMARK TRIBUNE
Mar 24, 2017

MANDAN – Actress Shailene Woodley has agreed to plead guilty to disorderly conduct and

serve one year of unsupervised probation for her involvement with Dakota Access Pipeline protests last October.

Woodley signed a plea agreement filed Friday that states she would plead guilty to the Class B misdemeanor. The charge was amended from an earlier charge of criminal trespass.

A misdemeanor charge of engaging in a riot will be dismissed under terms of the agreement.

Woodley, star of the “Divergent” series and a vocal supporter of the Standing Rock Sioux Tribe, was arrested at a Dakota Access construction site on Oct. 10 in Morton County.

The document Woodley signed said she admitted to acting in a manner with “intent to harass, annoy or alarm another person or in reckless disregard of the fact that the other person was harassed, annoyed or alarmed” by her behavior.

Online court records show a request to cancel Woodley’s trial, which was scheduled for March 31. A judge had not ruled on the plea agreement as of Friday.

Under the agreement, Woodley would forfeit $500 bond she posted after her arrest.

Defense attorney Alexander Reichert did not return a call seeking comment late Friday.

ND congressional delegation supports Keystone XL pipeline

Tia Streeter Mar 24, 2017 MyNDNow

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BISMARCK, N.D. (AP) -- Members of North Dakota's congressional delegation say they support the Trump administration's approval of the Keystone XL oil pipeline.

Republican Sen. John Hoeven and Rep. Kevin Cramer and Democratic Sen. Heidi Heitkamp all say the pipeline is a step toward bolstering the country's energy infrastructure.

Keystone XL is to move crude from Alberta, Canada, across Montana and South Dakota to Nebraska, where it would connect with existing pipelines feeding refineries along the Gulf Coast. It won't pass through North Dakota, but it could carry some North Dakota oil.

Opponents fear it could contaminate water supplies and contribute to pollution.

Company, US want Dakota Access pipeline lake crossing upheld

North Dakota News MINOT DAILY NEWS
Mar 25, 2017

BISMARCK (AP) — The company building the $3.8 billion Dakota Access oil pipeline and the Army Corps of Engineers want a judge to reject a request by American Indian tribes to revoke permission for the project to cross a Missouri River reservoir in North Dakota.

Oil might already be flowing under Lake Oahe, but the Standing Rock, Cheyenne River, Yankton and Oglala Sioux tribes are continuing their legal battle against the pipeline in the hope that a judge will order it shut down.

The 1,200-mile pipeline is to deliver North Dakota oil to a distribution point in Illinois. Texas-based developer Energy Transfer Partners said in court documents filed Monday that it expected to have the pipeline operating sometime this week. ETP spokeswoman Vicki Granado on Friday declined to comment on whether oil was flowing, saying the company’s next update will come Monday in a required report to the court.

The company is not required to report the start of operations to regulators, according to officials with the North Dakota Public Service Commission and the U.S. Transportation Department’s Pipeline and Hazardous Materials Safety Administration.

The tribes say the pipeline threatens their drinking water, cultural sites and ability to practice their religion, which depends on pure water. ETP rejects those claims. The Standing Rock and

Cheyenne River tribes last month asked U.S. District Judge James Boasberg to overturn the federal government's permission for the Lake Oahe crossing that the Trump administration granted to ETP.
ETP and the Corps, which manages the lake for the U.S. government, filed responses with the court on Thursday. They both asked Boasberg to reject the tribes' request, saying the process that resulted in permission for the lake crossing was properly handled.
"The Corps reasonably concluded that the pipeline would not impact tribal hunting, fishing and consumption rights in Lake Oahe given the extremely low risk of a spill," Scherman wrote.

Minor flooding reported on Souris River near Foxholm

Mar 24, 2017 KFYR TV

FOXHOLM, N.D. - The National Weather Service (NWS) says minor flooding is now occurring near Foxholm, N.D.

NWS says the Souris River reached 1,573 feet Friday afternoon.

Lake Darling has increased releases to 1,200 cubic feet per second, so the river is expected to continue to rise by another foot over the next few days.

Rural flooding will begin, once it hits 1,575 feet.

As a precaution, residents are asked to avoid driving across any flooded roads.

From: Kimbrough, Lynn
To: Randy Welch (Randy.Welch@fema.dhs.gov)
Subject: dakota clips
Date: Wednesday, March 22, 2017 8:44:00 AM
Attachments: clips.docx

NORTH DAKOTA

Dakota Access pipeline vandalism highlights sabotage risks

By BLAKE NICHOLSON and STEVE KARNOWSKI Associated Press (In the Bismarck Tribune)
Mar 22, 2017

BISMARCK, N.D. (AP) — The developer of the Dakota Access pipeline has reported "recent coordinated physical attacks" on the much-protested line, just as it's almost ready to carry oil.

Texas-based Energy Transfer Partners didn't give details, but experts say Dakota Access and the rest of the nearly 3 million miles of pipeline that deliver natural gas and petroleum in the U.S. are vulnerable to acts of sabotage.

It's a threat that ETP takes seriously enough that it has asked a court to shield details such as spill response plans and features of the four-state pipeline that the company fears could be used against it by activists or terrorists.

Here is a look at some pipeline security issues:

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RECENT ATTACKS

Authorities in South Dakota and Iowa confirmed Tuesday that someone apparently used a torch to burn a hole through empty sections of the pipeline at aboveground shut-off valve sites.

Mahaska County Sheriff Russell Van Renterghem said the culprit in Iowa appeared to have gotten under a fence around the facility, but Lincoln County Sheriff's Deputy Chad Brown said the site in South Dakota wasn't fenced.

The Iowa incident was discovered March 13 and the South Dakota incident Friday.

Pipeline operators are asked to report security breaches to the National Response Center. Data on the center's website show no reports from ETP this month.

The $3.8 billion Dakota Access pipeline runs 1,200 miles through the Dakotas, Iowa and Illinois.

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HOW DO YOU ATTACK A PIPELINE?

Because pipelines mainly run underground, aboveground shut-off valves are natural targets, according to Jay O'Hara, a spokesman for the environmental group Climate Direct Action. That group targeted valves on pipelines in October in North Dakota, Minnesota, Montana and Washington state, though the pipeline companies said activists didn't succeed because none of the sites were operating when the attacks happened.

Explosives, firearms and heavy machinery also have been used to try to sabotage pipelines.

Securing pipelines is difficult because they often travel long distances through remote and even uninhabited territory, said Kelly Sundberg, a professor at Mount Royal University in

Calgary, Alberta, who studies energy infrastructure security and environmental crime.

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THE DANGER

Sundberg said "it's stupid and dangerous" to tamper with pipeline shut-off valves.

Modern oil pipelines are "incredibly sophisticated" systems that move huge volumes of petrochemicals at high pressures, he said. Simply closing a valve can cause the pressure upstream to increase quickly, creating a significant risk of a spill that endangers the environment and anyone in the area where the pipe suddenly bursts, he said.

In response to the October incidents, federal regulators issued a bulletin warning that tampering with pipeline valves "can have significant consequences such as death, injury, and economic and environmental harm."

Sundberg also said that it's ironic for people who say they're concerned about the environment to take an action that could cause an environmental disaster.

But O'Hara said: "The hypocrisy really lies in the pipeline corporations who say their pipelines are safe, say leaks don't happen. They blame activists who are trying to stop global cataclysm by taking action to point out what they do every day, which is leak and spill."

Someone who targets a pipeline facility in the U.S. could face up to 20 years in prison.

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WHO'S RESPONSIBLE FOR THE RECENT ATTACKS?

No suspects have been identified in either state and no group has claimed responsibility

O'Hara told The Associated Press that Climate Direct Action wasn't involved in any actions against the Dakota Access pipeline.

Attorneys for the Standing Rock and Cheyenne River Sioux tribes, which are leading the legal battle against the pipeline, said the tribes don't condone acts of violence against pipeline property.

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HOW FREQUENTLY DOES PIPELINE SABOTAGE OCCUR?

Not very often, Sundberg said. It happens more frequently in Canada than the U.S. It's generally committed by people trying to make an environmental point. It would be "very scary" if terrorist groups tried it in North America, he said.

Some of the worst incidents in the U.S. were on the Trans Alaska Pipeline. Vandals blew up a section in 1978, spilling about 16,000 barrels of oil near Fairbanks. In 2001, a drunken man fired a hunting rifle into the pipeline near Livengood, causing more than 6,000 barrels to spray out.

Some of the most notable incidents in Canada happened in the 1990s and 2000s in Alberta and British Columbia. A series of bombings in 2008-09 targeted pipelines in British Columbia. Weibo Ludwig, an Alberta man who crusaded against the extraction of "sour gas" containing high amounts of hydrogen sulfide, was convicted in several of the 1990s acts of vandalism. He was arrested but never charged in the later attacks.

Pipeline sabotage happens with some regularity in war zones. Iraqi insurgents, Colombian rebels and Mexican guerrillas all have claimed responsibility for pipeline attacks in recent

decades.

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Karnowski reported from Minneapolis. Associated Press news researcher Jennifer Farrar contributed to this story from New York, and reporter David Pitt contributed from Des Moines, Iowa.

The Latest: South Dakota, Iowa confirm pipeline vandalism

Mar 21, 2017 Updated 18 hrs ago (in the Bismarck Tribune)

BISMARCK, N.D. (AP) — The Latest on the Dakota Access oil pipeline (all times local):

2:10 p.m.

Authorities in a second state have confirmed an incident of vandalism against the Dakota Access pipeline.

Mahaska County Sheriff Russell Van Renterghem in Iowa says it appears someone used a torch to cut a hole in the empty pipeline at an above-ground safety valve site southeast of Des Moines. He says it appears the culprit maneuvered under a fence around the facility.

The incident was discovered March 13. A similar incident was discovered Friday in southeastern South Dakota.

Pipeline developer Energy Transfer Partners said in court documents Monday that there have been "coordinated physical attacks" along the $3.8 billion pipeline that will carry oil from North Dakota to Illinois, but company officials didn't provide further details.

State officials in North Dakota and Illinois say they aren't immediately aware of any incidents in their states.

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11:30 a.m.

Authorities have confirmed an incident of vandalism against the Dakota Access oil pipeline in South Dakota.

Pipeline developer Energy Transfer Partners said in court documents Monday that there have been "coordinated physical attacks" along the $3.8 billion pipeline that will carry oil from North Dakota to Illinois, but company officials didn't provide further details.

The South Dakota attorney general's office confirmed one incident of what it called "felony vandalism" southeast of Sioux Falls.

Lincoln County Sheriff's Deputy Chad Brown says someone burned a hole in the pipe at an above-ground valve site Friday. He says the site had no fencing or other security.

No injuries were reported. Brown says no suspects were immediately identified. Local and state officials are investigating and have notified the FBI.

ETP plans to have oil flowing this week.

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8:45 a.m.

Officials are restoring normal traffic on a stretch of North Dakota highway that was closed for months due to protests against the Dakota Access oil pipeline.

Part of state Highway 1806 was shut down in late October after a bridge was damaged by fires during protests.

Late last week, authorities began allowing traffic with the assistance of pilot cars escorting vehicles over the 9-mile stretch near the site where pipeline opponents camped for months. The camps were cleared out and shut down late last month in advance of spring flooding season.

Morton County sheriff's spokesman Rob Keller says the highway is being fully reopened, without pilot cars, at noon Tuesday.

The $3.8 billion Dakota Access pipeline is getting ready to move North Dakota oil to Illinois.

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8:15 a.m.

Environmental activists who tried to disrupt some oil pipeline operations in four states to protest the Dakota Access pipeline say they aren't responsible for any recent attacks on that pipeline.

Dakota Access developer Energy Transfer Partners said in court documents Monday that there have been "coordinated physical attacks" along the $3.8 billion pipeline that will carry oil from North Dakota to Illinois. Company officials haven't responded to AP requests for more details.

Jay O'Hara with the Climate Disobedience Center told The Associated Press Tuesday that Climate Direct Action wasn't involved, and he isn't aware of anyone claiming responsibility.

In October, Climate Direct Action activists tried to shut valves on oil pipelines in North Dakota, Minnesota, Montana and Washington. But O'Hara says the group has no plans to target Dakota Access.

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From: Kimbrough, Lynn
To: Randy Welch (Randy.Welch@fema.dhs.gov)
Subject: dakota clips
Date: Tuesday, March 21, 2017 9:08:00 AM
Attachments: clips.docx

NORTH DAKOTA

Now is the time to consider flood insurance, North Dakota commissioner warns

April Baumgarten Forum News Service (Bismarck Tribune)

North Dakota's insurance commissioner is encouraging residents who face major flooding to be prepared.

The warning from Commissioner Jon Godfread comes ahead of spring flooding, with parts of northeast North Dakota, especially near Grafton, Devils Lake and in Cavalier and Pembina counties, having the highest potential for flooding in the U.S., according to the National Weather Service. Devils Lake is expected to rise 3 to 4 feet, putting nearly 40,000 acres of land at risk. Grafton will likely see major flooding and has a 25 percent chance of seeing a record-setting flood. The Park River in Grafton had a record crest of 16.16 feet in May 2013.

The major flood stage for the river begins at 14.5 feet, which the river should surpass later this spring. It's possible the river could rise as high as 19.7 feet.

Devils Lake, which is expected to see record runoff, could begin to rapidly rise from April into May, averaging a half-foot or more per week before it peaks, possibly above the June 2011 record elevation of 1,454.3 feet, according to the weather service.

The flood risk reduces to the south along the Red River, as there is little to no snow left south of Grand Forks.

Godfread warned residents in a news release that traditional homeowners insurance does not cover flood damage. When residents sign up for flood insurance, it takes 30 days to kick in, Godfread said in the release.

"I urge all North Dakotans to take the time to learn about how they can better protect themselves and their property from the destruction brought on by a flood," he said, adding it is "a critical time of year for consumers to talk to their insurance agent about their policy's limits and what other coverage options they have."

Flood insurance is available to homeowners, renters and businesses through the National Flood Insurance Program, which is managed by the Federal Emergency Management Administration.

The weather service may release an updated flood outlook on Friday.

Company: Dakota Access pipeline on track, despite "threats"

Mar 20, 2017 Updated 11 hrs ago (AP story in Bismarck Tribune)

BISMARCK, N.D. (AP) — The company building the Dakota Access pipeline said Monday that the project remains on track to start moving oil this week despite recent "coordinated physical attacks" along the line.

The brief court filing late Monday from Dallas-based Energy Transfer Partners didn't detail the attacks, but said they "pose threats to life, physical safety and the environment."

The filing cited those threats for redacting much of the rest of the 2½-page report, but ended: "These coordinated attacks will not stop line-fill operations. With that in mind, the company now believes that oil may flow sometime this week."

A spokeswoman for the company declined to elaborate on the types of attacks. A spokesman for the Morton County sheriff's office, the center of months of sometimes violent conflicts between protesters and law enforcement, didn't immediately respond to an email.

The Standing Rock and Cheyenne River Sioux tribes have battled the $3.8 billion pipeline in court for months, arguing it's a threat to water and their right to practice their religion.

The company has maintained the pipeline, which will move oil from North Dakota's Bakken oil field more than 1,000 miles across four states to a shipping point in Illinois, will be safe.

An appeals court on Saturday refused a request from the tribes for an emergency order to prevent oil from flowing through the pipeline.

The tribes have challenged an earlier ruling by U.S. District Judge James Boasberg not to stop final construction of the pipeline, and they wanted the appeals court to halt any oil flow until that's resolved.

The appeals court said the tribes hadn't met "the stringent requirements" for such an order.

The tribes had asked Boasberg to direct the Army Corps of Engineers to withdraw permission for Energy Transfer Partners to lay pipe under Lake Oahe in North Dakota, which the Corps manages for the U.S. government. The stretch under the Missouri River reservoir is the last piece of construction for the pipeline.

The company is wrapping up pipe work under the lake and had said oil could start flowing between Monday and Wednesday.

The tribes' appeal rests on the religion argument. Boasberg has said he doesn't think the tribes have a strong case on appeal. He also said ETP would be "substantially harmed" by a delay in pipeline operations.

Environment activists deny attacking Dakota Access pipeline

Mar 21, 2017 (AP story in the Bismarck Tribune)

BISMARCK, N.D. (AP) — Environmental activists who tried to disrupt some oil pipeline operations in four states to protest the Dakota Access pipeline say they aren't responsible for any recent attacks on that pipeline.

Dakota Access developer Energy Transfer Partners said in court documents Monday that there have been "coordinated physical attacks" along the $3.8 billion pipeline that will carry oil from North Dakota to Illinois. Company officials haven't responded to AP requests for more details.

Jay O'Hara with the Climate Disobedience Center told The Associated Press Tuesday that Climate Direct Action wasn't involved, and he isn't aware of anyone claiming responsibility.

In October, Climate Direct Action activists tried to shut valves on oil pipelines in North Dakota, Minnesota, Montana and Washington. But O'Hara says the group has no plans to target Dakota Access.

SOUTH DAKOTA (two stories, non-FEMA, but maybe of some interest…)

San Francisco bars travel to South Dakota for city employees

Associated Press (picked up by the Rapid City Journal)

San Francisco has banned city employees from traveling to South Dakota for work following the passage of a bill offering religious protection for adoption agencies.

San Francisco has banned city employees from traveling to South Dakota following passage of a bill protecting religious or faith-based adoption agencies that won't place children with unmarried or same-sex couples.

A spokesman for the San Francisco city administrator says employees will be barred from traveling on state or city-subsidized business to South Dakota or from contracting with South Dakota businesses.

The Argus Leader reports the prohibition is part of an ordinance blocking travel to states that approve legislation that discriminates against LGBT people.

And the state of California could be considering a similar move.

DUNE project in Lead would be among most sophisticated projects ever

Tom Griffith Journal staff (Rapid City Journal)

Mar 19, 2017

LEAD | Carve a few massive caverns nearly a mile below the surface of the Black Hills, haul off hundreds of thousands of tons of crushed rock, add the largest refrigeration system ever, then install the most sensitive particle detectors known to man, and you'd be ready to host what is arguably the most sophisticated science experiment ever staged on the planet.

That's exactly what the Sanford Underground Research Facility and the Fermi National Accelerator Laboratory are planning with the billion-dollar Deep Underground Neutrino Experiment.

"This is the first time an experiment of this scale has occurred anywhere in the world, and it's going to be done right here," Fermilab Deputy Project Manager Joshua Willhite told 100 Northern Hills residents during an informational meeting in Lead on Monday night.

The Deep Underground Neutrino Experiment, commonly referred to as DUNE, represents a scene straight out of a science fiction movie. As envisioned, scientists at the Fermilab near Chicago will fire a beam of tiny neutrinos at near-light speed that will carry the subatomic particles through solid rock 808 miles away to the Black Hills of South Dakota, where scientists deep underground at the Sanford Lab hope to "catch" the particles using sophisticated detectors.

The groundbreaking particle physics experiment currently has 960 collaborators from 163 institutions in 31 nations, Willhite said Monday. Sixty percent of those scientists are based outside the U.S., and that number is expected to grow, he noted.

"This has broad international support," Willhite said.

Cutting-edge science

On its own, the $300-plus million investment for the experiment at the Sanford Lab in Lead represents the largest single project in the history of South Dakota, says Sanford Lab Director Mike Headley.

More important to scientists working around the world to unravel the mysteries of the universe, the experiment has the potential to advance scientific knowledge and yield technological advancements on a par with the race to the moon in the 1960s, project advocates contend.

“DUNE collaborators hope to learn the role neutrinos play in the evolution of the universe; better understand how supernovae produce the heavy elements— iron, calcium, carbon and others — that are necessary for life; how much mass the neutrino has; and why the universe consists of matter rather than antimatter,” the Lab’s Communications Director Constance Walter said Thursday. “Any, or all, of these discoveries will transform our understanding of the universe and advance physics to a whole new level.”

Neutrino research is a competitive field, with several different experiments around the globe looking for the same things DUNE hopes to discover, Walter explained. The DUNE team of scientists and engineers is developing cutting-edge technology on a scale much larger than anything that has been developed for neutrino experiments, she said.

“In its space race with the Soviet Union, NASA discovered new technologies and gained incredible knowledge, which eventually landed American astronauts on the moon,” Walter added. “With the development of new and the enhancement of existing technologies for DUNE and the Long-Baseline Neutrino Facility, we could see much the same thing in physics research.”

Closer to home, the federally financed experiment could have economic benefits unparalleled in South Dakota history, according to study findings presented at Monday’s 70-minute presentation. Those "credible and conservative" estimates of the local economic impacts of the projected construction and operations of Long-Baseline Neutrino Facility and DUNE in South Dakota and Illinois took into account capital projects and direct spending, as well as additional business activity, jobs and payroll supported by that spending from 2016 through 2026.

During that period, the economic impact of LBNF/DUNE in the western South Dakota region will total $860 million in output and $330 million in earnings for local residents, according to the April 2016 study. The employment prospects for local residents will peak at more than 1,800 jobs in 2020, the study reported.

The total fiscal impact of LBNF/DUNE for the state of South Dakota is projected at $10.6 million in tax revenue from 2016 to 2026, peaking at $2.5 million in annual revenue in 2020, the study concluded.

Meanwhile, the study found the economic impact of LBNF/DUNE on the Chicago region would total $1.1 billion in output and $570 million in earnings for local residents. The impact on jobs for Illinois would peak at nearly 2,000 in 2024. The total fiscal impact for the state of Illinois would be $21 million in tax revenue from 2016 to 2026, peaking at $2.7 million in annual revenue in 2024, according to the study.

“This will be one of the largest science mega-projects ever to occur on U.S. soil,” Headley said Monday night. While already hosting several major underground experiments and an underground campus for students at Black Hills State University in Spearfish, Sanford Lab’s 163 current employees are gearing up for the new experiment, he and Willhite noted.

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From: Kimbrough, Lynn
To: Randy Welch (Randy.Welch@fema.dhs.gov)
Subject: dakotas and mt clips
Date: Thursday, March 23, 2017 9:23:00 AM
Attachments: clips.docx

NORTH DAKOTA

Why'd All the Protest Trash Come to Bismarck's Landfill? A Whirlwind of Trash at the Landfill and the Former Camp

By: Heidi Werosta MAR 22, 2017 MyNDnewsNow

Bismarck - Trash down at Cannonball is nearly cleared.

When all said and done, hundreds of thousands of pounds of garbage was taken away.

And most of it had to end up in the Bismarck landfill.

Trash from the Dakota Access Pipeline ended up in landfill in Bismarck and even one in South Dakota, but why did the waste have to end up here in the first place?

Steve Tillotson from Bismarck Waste Management says, "The reason it went there is because it was such a mixture of materials and Bismarck was really the closest facility that could handle that type of waste material."

That's because new regulations shut down several landfills.

Tillotson adds, Prior to 1992, we had quit a few more landfills, but EPA came out with new rules on landfills that were required like liners and collection systems, groundwater monitoring and a few other requirements so that resulted in a lot of landfills closing.

There are now only 13 landfills in North Dakota. The Bismarck landfill is the closest to the protest camp.

Steve Tillotson himself made a trip down to the protest camp for cleanup and he describes it as a whirlwind of clutter.

"We went down there, it kind of looked like a tornado had hit it, cause they had knocked down all the buildings," adds Tillotson.

The amount of trash added up quickly from the camp. It was so much that it can be compared to a few days worth for Bismarck, a city of over 60 thousand.

Jeff Heintz,from Bismarck Public Works says, "The volume that came in from cannonball was like 3 days worth of volume that we would normally bring in from the landfill in a day."

The protest camps trash made a lot of headlines, but in the end it was all meshed together when brought to the landfill.

It was important to get the trash waste out quickly because of flooding concerns according to Steve Tillotson.

County spends big on snow removal

Mar 22, 2017
Jill Schramm MINOT DAILY NEWS

Staff Writer

Ward County has spent $1.62 million on snow removal and sanding this winter, with an estimated $30,000 still owing to contractors.

The total is the highest in at least eight years, according to figures presented to the Ward County Commission Tuesday by County Engineer Dana Larsen.

Larsen explained in past years, certain areas were hit hard by snowfall, and snow removal efforts focused on those areas. This year, the heavy snowfall kept plows and dozers busy everywhere.

"That's probably the biggest reason," Larsen said of the high bill. *"It wasn't just a part of the county. It was literally the entire county."*

Ward County spent $408,822 on snow removal from October through December 2016 and more than $1.09 million in January and February, for a total of $1.5 million. The county spent $122,012 on sanding.

Contractor costs account for $483,475 of the total spending. Eight different contractors were hired.

Expenses of $1.15 million so far in 2017 compares to about $1.04 million in 2011, another year that brought lots of snow. The county had spent $445,751 in 2010.

After 2011, the next highest years for spending on snow removal and sanding were $843,466 in 2009 and $729,000 in 2013. The county had few expenses in 2014 and 2015, spending $283,644 and $246,909, respectively. Only this winter's expenses for 2016 were readily available but costs were low the previous winter.

Larsen noted spending on contractors this winter has been about double the amount spent in the more recent high-snowfall years. Part of the reason is the cost of hiring contractors has increased from about $150 an hour to $200 an hour. Larsen added the county also had twice as many hired dozers pushing snow away from the roads as in the past.

So far, the county commission hasn't approved use of the emergency fund for snow removal. Unless state help becomes available, the cost of snow removal would come out of the highway department budget, Larsen said after the commission meeting.

The cost associated with overtime and fuel would come from the normal overtime and fuel budget, he said. Funds used to pay contractors and buy salt and sand comes from the same budget line item as hiring contractors to crush and haul gravel or complete other maintenance projects.

"We will have to reduce the number of overtime hours and part-time help used to work on maintenance projects this summer," Larsen said. *"We may not be able to complete as much maintenance work this summer as we would like because the funds were spent on snow removal. However, on a positive note, if there is minimal flooding this spring, that will be a cost savings compared to the amount of dollars we had to spend on repairing roads after the flooding in 2009 and 2011. Also in 2016, we were able to add additional miles of graveling because of the previously easy winter."*

In other action related to the highway department, the commission voted to approve a right-of-way encroachment policy and schedule a public hearing on the ordinance. Larsen described situations of mobile homes, fences, camping and farming activity that have occurred in county-owned right of way and would be prohibited by the ordinance.

The proposed ordinance is patterned after Cass County's policy, with the exception it would not require neighboring landowners to maintain the rights of way. The county would continue to mow those areas, although agricultural producers would be allowed to hay as long as they removed the bales

Landslides, mudslides impact rail service last week

Mar 22, 2017

Eloise Ogden, Regional Editor MINOT DAILY NEWS

Travelers on the Amtrak passenger train between Minot and the Spokane/Seattle area experienced delays last week because of landslides and mudslides impacting travel for that train and BNSF freight trains.

"We had landslides in northern Idaho and prior to that mudslides last week in Washington that impacted traffic," said Amy McBeth, Minneapolis, BNSF public relations director for this region. She said the issues also were last weekend.

BNSF owns the tracks that the Amtrak passenger train also uses.

"There have been some temporary track closures and some lengthy delays. We have been operating," Marc Magliari, a spokesman for Amtrak in Chicago, said this week.

This past weekend, a few college students from North Dakota State University in Fargo were attempting to return by train to North Dakota after a trip to Seattle. The passenger train was on its way to N.D. but it had to back up to Sandpoint, Idaho, because the tracks were washed out and eventually it ended up going back to Spokane. Because the students felt they could not wait until the train could resume its trip, they booked a plane flight via Minneapolis to return to North Dakota.

Early last week, the series of landslides in Washington state were caused by heavy rains and over-saturated land, forcing a significant stretch of Washington railway to shut down, according to news reports from that area. BNSF Railway placed a 48-hour moratorium on the tracks. Freight service resumed but all Amtrak rail traffic was suspended until later in the week in that particular area. It's a common policy not to allow passenger rail traffic for 48 hours after a slide is cleared, officials said.

ARBI Endorses Water Stewardship Framework

March 22, 2017 Written by Cory Knutt, Pembina Valley Online News

The Board of Directors of the Assiniboine River Basin Initiative (ARBI) has endorsed a Framework for Water Stewardship.

The Framework is the culmination of more than two and half years of consultations with more than 200 stakeholder groups in Manitoba, Saskatchewan, and North Dakota.

It represents the group's shared vision for water stewardship, laying out key strategies, goals, objectives and desired outcomes for the entire basin.

"ARBI has been working with stakeholders in two provinces and one state to achieve a consensus-driven vision for the future of the basin," said Dr. Allan Preston, ARBI Chair. "The Board is pleased to endorse the Framework, which identifies key issues and concerns, as well as pathways to cooperative solutions."

Preston noted that while spring flooding is on the minds of residents right now, it's important to also plan ahead for the long term, which is what this Framework will do.

"The Framework will guide ARBI in the development of its own activities, but it is also a tool that all basin stakeholders can use in their work. It will allow everyone to celebrate the success stories that result," said ARBI Executive Director Wanda McFadyen.

She added the framework is "evergreen" and will be reviewed and updated annually.

Funding for the development of the framework was provided through Growing Forward 2

NOTHING FOR SOUTH DAKOTA

MONTANA

Bill sponsor on Laurel water intake: 'We just can't deny the fact that it's a disaster'

By MATT HUDSON Billings Gazette

A temporary rock weir is in place at Riverside Park in Laurel to help boost flows over the current Laurel water intake in the Yellowstone River.

Testimony Wednesday in a legislative committee focused on whether funding for the Laurel water intake project should come from the governor's disaster fund.

The House Appropriations Committee of the Montana Legislature held its first hearing for HB586, a bill that would appropriate at least $2.5 million toward the intake project. Its main sponsor is Rep. Dennis Lenz, a Republican representing the Laurel area.

The intake serves Laurel residents and the Cenex Harvest States refinery with water. After a 2011 flood shifted the riverbed at Laurel, low water levels affected the current intake's ability to draw from the Yellowstone.

"It was a major movement of that river," Lenz said at the hearing. "And we just can't deny the fact that it's a disaster."

The bill would let Laurel recover its own funds that have been spent or committed to the project in lieu of disaster aid from Gov. Steve Bullock's office, which has declined to use that fund for the intake. That left the town to pick up the tab.

Construction of the new intake, which will draw water from three miles upstream and pipe it to town, started last fall. The city exhausted its own reserve fund and took a low-interest loan from the state to cover the cost share.

Laurel Chief Administrative Officer Heidi Jensen said Wednesday that the town had previously raised water rates for other water system projects, but those were pushed back after the flood affected the intake. The city is nearly tapped out.

"Our bonding capacity has been met, which limits the city's ability to plan for any other projects," Jensen said.

Money in the bill would come from the disaster fund in order to match $7.5 million in emergency assistance from the Federal Emergency Management Agency. That federal money requires a local match of the remaining 25 percent to come from a local government jurisdiction — usually the state.

Since the project plans were finalized in late 2014, Bullock's office has declined to release money from the disaster fund to pay the 25 percent match, creating a dispute between Laurel officials and the governor's office.

On Wednesday, committee members questioned Andrew Huff, Bullock's legal counsel, who spoke in opposition to the bill.

"The governor's office has always felt that this is more in the nature of a water infrastructure project than a disaster," Huff said. "So that has been a main factor."

Huff argued that laws require that the FEMA emergency funds be matched but don't specify which government agency pays.

He also disagreed with Jensen about whether the state notified Laurel officials prior to finalizing project plans that money wouldn't be provided from the disaster fund. Huff conceded that no documentation was available and only phone calls were made to explain the state's position.

Some committee members wondered why the state wouldn't deem the intake an emergency job when FEMA approved funds for that reason. Then-Gov. Brian Schweitzer declared a disaster situation following the 2011 flood and the office released state aid for other projects.

"It seems that the state has worked along for quite some time thinking it was an emergency," said Rep. Carl Glimm, R-Kila. "It kind of just seems like they don't want to spend out of their kiddie pool because it was outdated previously."

Rep. Nancy Ballance, R-Hamilton, who chairs the Appropriations Committee, spoke in favor of the bill, as did Republican Rep. Vince Ricci of Laurel. Montana League of Cities and Towns Executive Director Tim Burton also backed the measure.

While Lenz's bill currently calls for $2.5 million, he said it could be amended to $3 million to cover the full portion committed by Laurel. That includes $1.3 million of its case reserves and the $1.7 million state revolving loan.

The bill would also reduce the amount of money in the governor's $16 million disaster fund by about $2.5 million for the biennium.

The intake that's set to be replaced was constructed in 2003 along the Highway 212 bridge. Jensen said the city is still paying on that $3 million project.

NWS warns of possible springtime flooding

Mar 22, 2017
By Briana Monte, KULR

BILLINGS, Mont. -

With the start of spring, the National Weather Service talks possible chances of flooding throughout the state of Montana.

Meteorologist Todd Chambers, with NWS, says flooding depends on how fast the snow melts and how fast we warm up. Chambers says weather patterns are favorable right now for spring precipitation.

He says some of the areas they're keeping an eye on are the Yellowstone River and the Clark's Fork of the Yellowstone. He also says the western area of the state has an above-normal threat of flooding because it had significantly above-normal snowfall. He advises caution around rivers and says listen to local authorities.

"If you live near rivers or streams, you know that during the springtime, we're going to see those rivers and streams rise," Chambers said. "Certainly move equipment and livestock away from low-lying areas and away from the riverbanks and just pay attention to the weather forecasts as we go through the spring because there are some areas that are going to see some high water."

Chambers says anyone recreating this spring should be aware when rivers are running high and fast. He says there are a lot of debris and erosion that can cause problems and flooding is a major hazard and should be taken seriously.

Colorado Springs woman found dead near Fish Creek

Mar 22, 2017
By Ana Scott

MISSOULA -

A developing story in rural Fish Creek Montana, just west of Missoula.

ABC FOX Montana learned Wednesday that exposure killed a 56 year old Colorado woman, Debra Ann Koziel, who was lost in the area.

Mineral County Sheriff Tom Bauer says Koziel's car was found by mile marker 8.

The area is very flooded as there's still snow, and no cellphone service.

This is the same area where Sheriff Bauer says Koziel became lost Friday night.

Bauer says Koziel called 911 after she climbed up a mountain and found service, but that her phone quickly died and they were not able to ping her phone location.

On Sunday, a nearby resident found her car and reported it to the sheriff's office.

Search and Rescue began searching for Koziel in that area and found a suit case 20 yards away from the vehicle, along with prescription medication with Koziel's name.

Sheriff Bauer told us among the people assisting in the search were the Mineral County Sheriff's Office, Search and Rescue, Fish and Game, a National Guard helicopter and a local resident who knew the area well.

Koziel's body was found Tuesday afternoon and there is no suspected foul play.

The sheriff's office is still awaiting toxicology results and would not comment if drugs and alcohol were involved.

Bauer says how, and why, Koziel ended up where she did, might never be known.

Ice jam on Upper Big Hole River causes flooding

Mar 22, 2017
By John Emeigh - MTN News (KPAX NEWS)

WISE RIVER -

A major ice jam on the Upper Big Hole River caused some flooding in the east bank area that threatened at least one home and damaged some fencing and picnic areas over the weekend.

“I’ve come up here a lot of years and this is probably the worst of ever seen it. There are a couple lakes further up the road towards Bear Gulch,” said Wayne Halborsen, a bridge inspector for the Montana Department of Transportation.

MDT crews were out inspecting bridges along the Big Hole to make sure they are not being destabilized by the high water.

“When the river levels get real high, hits those piers and the ice jam gets there and that water shoots underneath there and starts undermining those piers,” Halborsen said.

There’s a major ice jam on a portion of the river a few miles west of Wise River that’s actually caused the water to divert and it took out a portion of barbed wire fence as well as knocking over some utility poles that are carrying power lines across the Big Hole.

“That’s where all the ice kind of accumulates in these low areas and stuff like that and it just builds dams is what it does and the water has to go a different route to get downstream,” Halborsen said.

The National Weather Service continues its flood warning for this area of the Big Hole River along Highway 43 until 10:15 Wednesday morning.

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From: Kimbrough, Lynn
To: Hunter, Cynthia
Subject: FW: MEDIA ADVISORY: BURGUM TO ISSUE EVACUATION ORDER, DISCUSS NEXT STEPS IN CAMP CLEANUP
Date: Wednesday, February 15, 2017 3:38:00 PM
Attachments: MEDIA ADVISORY -- BURGUM TO ISSUE EVACUATION ORDER, DISCUSS NEXT STEPS I....pdf
Importance: High

Cynthia, quick, how do I monitor a live stream???

From: Greff, Stacie
Sent: Wednesday, February 15, 2017 3:28 PM
To: Kimbrough, Lynn <lynn.kimbrough@fema.dhs.gov>; DeFelice, Jerome <Jerome.DeFelice@fema.dhs.gov>
Subject: MEDIA ADVISORY: BURGUM TO ISSUE EVACUATION ORDER, DISCUSS NEXT STEPS IN CAMP CLEANUP
Importance: High

Lynn or Jerry – I sent a note on this. Sorry if I missed a note back, but are you able to listen to the live stream and provide top points?

From: DeFelice, Jerome
Sent: Wednesday, February 15, 2017 1:42 PM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: FW: MEDIA ADVISORY: BURGUM TO ISSUE EVACUATION ORDER, DISCUSS NEXT STEPS IN CAMP CLEANUP

FYSA
Holding a press conference later today…

From: Nowatzki, Mike [mailto:mnowatzki@nd.gov]
Sent: Wednesday, February 15, 2017 1:34 PM
To: Nowatzki, Mike <mnowatzki@nd.gov>
Subject: MEDIA ADVISORY: BURGUM TO ISSUE EVACUATION ORDER, DISCUSS NEXT STEPS IN CAMP CLEANUP

MEDIA ADVISORY – PRESS CONFERENCE
Contact: Mike Nowatzki
701.328.2424

Burgum to issue evacuation order,

discuss steps to accelerate cleanup of protest camp

Subject: Gov. Doug Burgum and other state officials will discuss additional steps being taken to accelerate cleanup of the main Dakota Access Pipeline protest camp as spring flooding threatens to turn the area along the Missouri and Cannonball rivers into an environmental disaster. These steps will include additional contractor participation and an evacuation order by the governor.

When: 5:05 p.m. Wednesday, Feb. 15

Location: Governor's Conference Room, State Capitol, 600 E. Boulevard Ave., Bismarck, ND

Photo, video and opportunities to ask questions will be available. Press conference will be livestreamed on NDResponse.gov and facebook.com/NDResponse.

Credentialed media who wish to attend must email their name, media outlet and contact information to ndjic@nd.gov.

Reporter Name: _____

News Organization you represent: _____

Telephone Number: _____

Email: _____

Email this information to NDJIC@nd.gov

Mike Nowatzki
Communications Director
Office of the Governor
Desk: (b)(6)
Cell:
(b)(6) @nd.gov
600 E. Boulevard Ave.
Bismarck, ND 58505

From: Kimbrough, Lynn
To: Randy Welch (Randy.Welch@fema.dhs.gov)
Subject: north and south dakota clips
Date: Thursday, March 16, 2017 9:09:00 AM
Attachments: clips.docx
image001.png

I did not find anything from South Dakota…

North Dakota

Army Corps on trial over Missouri River flooding complaint

Associated Press (Bismarck Tribune)

Mar 16, 2017

KANSAS CITY, Mo. (AP) — The U.S. Army Corps of Engineers is defending itself at trial against more than 300 farmers and other landowners who say the agency's management of the Missouri River has contributed to major flooding in five states, most notably 2011 flooding that caused billions of dollars in damage.

The lawsuit, filed in 2014 in the U.S. Court of Federal Claims, argues that the Corps has altered its practices regarding the river's water storage, release and flow management since the mid-2000s, de-emphasizing flood control while pushing to restore habitat for endangered species. It contends that the Corps unconstitutionally deprived plaintiffs of their land, essentially taking it without compensation.

Although the lawsuit doesn't specify the amount of damages being sought, the landowners' attorney has said it could exceed $250 million. The plaintiffs believe case law is on their side, given a U.S. Supreme Court ruling in December 2012 that the federal government is not automatically exempt from paying for damage caused by temporary flooding from its dams.

The case, which isn't expected to be decided until this summer at the earliest, reflects longstanding debate about the Corps' management of the river as the agency tries to strike a balance among competing interests — landowners, the barge industry, water suppliers, hydropower utilities, environmentalists and recreational users of the waterway, notably on upriver reservoirs. Regulating the river's levels comes through the Corps' management of discharges from a half-dozen large upstream reservoirs, each meant to hold snowmelt and other excess water during the spring before the Corps gradually releases it the rest of the year.

In court filings, the federal government argues that authorities never promised to stop all flooding along the 2,341-mile-long Missouri River, which flows into the Mississippi River north of St. Louis. The Corps, which has said it is required by Congress and the courts to act in the river's best interest, maintains that providing habitat for endangered species didn't exacerbate the inundation six years ago — a claim echoed by a top Midwest volunteer for the Sierra Club.

The trial started last week. The Corps typically does not comment publicly about litigation, and it didn't reply to recent messages by The Associated Press.

Outside experts who reviewed the 2011 flooding said the Corps did the best it could in dealing with record amounts of water that flowed into the river after unusually heavy spring rain in Montana and North Dakota.

That flooding lasted more than three months after the Corps began releasing massive amounts of

water from swollen upstream reservoirs. It overwhelmed levees, carved gouges up to 50 feet deep, created sand dunes 15-feet-high, deposited debris in farmers' fields and devastated hundreds of thousands of acres of mostly farmland in South Dakota, Nebraska, Iowa, Kansas and Missouri.
Caroline Pufalt, the St. Louis-based chairwoman of the Sierra Club's Missouri River Network, said blaming the Corps on environmental grounds is "a red herring," and that while the Corps may make decisions in the interest of habitat, such actions are rare.
Pufalt said the Corps did the best it could six years ago, given "unusual circumstances" involving so much water in the Missouri River system.
"These floods were kind of unavoidable," Pufalt said. "The folks who have filed this lawsuit mistakenly think there's some magic thing the Corps can do, given the current river, that will take away their flood risk, and that's not going to happen."
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The Latest: Highway shut down by protests to see traffic
posted March 15, 2017
BISMARCK, N.D. (AP) (NewsCenter1TV)
Officials are re-establishing traffic on a stretch of highway in North Dakota that has been closed for months due to protests against the Dakota Access oil pipeline.
The stretch of state Highway 1806 was shut down in late October after a bridge was damaged by fires during protests.
Authorities say that beginning at noon Friday, two-way traffic will be allowed with the assistance of pilot cars that will escort vehicles over a 9-mile stretch. That system will continue until authorities deem it safe to resume normal traffic without pilot cars.
The stretch of highway is near the area where pipeline opponents camped for months. The camps were cleared out and shut down late last month in advance of spring flooding season.

Judge won't stop oil from flowing through disputed pipeline
Wednesday, 15 Mar 2017 | 10:49 AM ET The Associated Press (CNBC)
BISMARCK, N.D. (AP) — A judge refused to head off the imminent flow of oil in the disputed Dakota Access pipeline, likely clearing the way for operations to begin next week.
U.S. District Judge James Boasberg in Washington, D.C., denied a request by the Standing Rock and Cheyenne River Sioux tribes to stop oil from flowing while the tribes appeal his decision last week allowing pipeline construction to finish.
"The critical factor here is Cheyenne River's lack of likelihood of success on the merits ... plaintiff does not have a strong case on appeal," Boasberg said in his ruling Tuesday.
Cheyenne River attorney Nicole Ducheneaux did not immediately respond to a request for comment Wednesday.
Texas-based pipeline developer Energy Transfer Partners is finishing up pipeline work beneath Lake Oahe, a Missouri River reservoir in North Dakota and the last piece of construction on the 1,200-mile, $3.8 billion pipeline to move North Dakota oil to a distribution point in Illinois. The tribes maintain an oil pipeline under the lake they consider sacred violates their religious rights, but Boasberg says the argument was made too late and is of questionable merit.
The judge also said ETP would be "substantially harmed" by a delay, as it prepares to move oil

through the pipeline as early as Monday.
Both ETP and the Army Corps of Engineers had objected to the tribes' latest attempt to halt the project, with Corps attorneys saying in court documents that President Donald Trump "has expressly determined that the pipeline is 'in the national interest.'"
The Corps last month granted ETP permission to lay pipe under the reservoir that it manages for the federal government, after Trump in January urged the project's completion after months of legal delays.
The court battle isn't over. Aside from the tribes' appeal to the U.S. Court of Appeals for the District of Columbia Circuit on the religion argument, the tribes in their lawsuit before Boasberg are arguing for more environmental study and for the government to recognize the tribes' treaty rights to clean water.
The Corps on Tuesday filed its opposition to those requests, saying the agency's permission for the Lake Oahe work "represents the culmination of over two years of detailed environmental analysis and extensive consultation with (the tribes)."
The pipeline saga also has endured for months outside of the courtroom, with about 750 arrests of protesters in southern North Dakota from August through February. Amnesty International USA on Wednesday said it has documented numerous instances of excessive force or intimidation by police and excessive criminal charges.
The organization in a letter asks Republican Gov. Doug Burgum and Attorney General Wayne Stenehjem to drop or consider dropping charges against protesters, review police practices and open independent investigations into several specific cases.
Police have defended their practices, which have included water sprays, tear gas and non-lethal ammunition such as rubber bullets. Police have said some protesters were violent and took part in riots, and that some targeted police both professionally and personally.

The Latest: Cleanup finished at pipeline protest camps
BISMARCK, N.D. (AP) – KTIV.com
The Army Corps of Engineers has finished cleaning up three Dakota Access pipeline protest camps that were on federal land in North Dakota.
The Corps hired a contractor after the main camp and two others were cleared out and shut down late last month in advance of the spring flooding season. They'd operated since last spring and at times held thousands of pipeline opponents.
Corps Capt. Ryan Hignight says a total of 835 industrial-size trash bins were filled and removed in the operation that wrapped up late last week. That doesn't include materials such as lumber and propane tanks that were set aside for reuse or recycling.
The total cost of the operation hasn't been tallied yet, but the Corps has estimated that it could cost taxpayers more than $1.1 million.

Flood Preparedness Meeting In Valley City (Video)
NewsDakota.com



March 15, 2017

By: Steve Urness (NewsDakota.com)

VALLEY CITY, N.D. (NewsDakota.com) – Local, state and federal officials held a meeting in Valley City to help citizens learn more about the flood outlook and steps residents and businesses can take to reduce their flood risk this spring.

The meeting included representatives from the National Weather Service, North Dakota Emergency Services and Senior Floodplain Specialist Barbara Fitzpatrick from the Federal Emergency Management Administration in Valley City.

To learn more about your flood risk and the facts about flood insurance coverage talk to your local insurance agent or log onto www.fema.gov/r8flood

National Weather Service Forecast Greg Gust said the probability of the Sheyenne River in Valley City reaching 12 feet is at 50 percent.

Gust and other federal and state officials discussed flood risk issues and gave tips to residents during a Town Hall meeting on March 15th. To view the entire meeting click on the video available below.

South Dakota

I've got nothin'…

From: Floyd, Megan
Sent: 13 Feb 2017 20:26:00 +0000
To: R8 External Affairs
Subject: Megan's Week

Activities:

- Finalize the SOP for Programmatic Agreement Signing Ceremonies
- Continue to develop liaison program with Katie (job description and project timeline should be complete this week)
- Begin document that looks at things to consider then FEMA is working directly with a tribe on a disaster declaration
- Budget stuff
- Participate in RRCC exercise on Thursday
- Tribal Annex Planning Team meeting
- Support Carol in SD as needed
- Work with Mitigation on webinars and outreach calls for the ongoing Mitigation consultation.

Issues:

- SWO request
- Spring Flooding potential
- Protests near Standing Rock
- Mitigation Planning Review Guidance Consultation

Schedule:

- In all week
- Doc. Appointment Tuesday need to leave by 2:30

Megan Floyd
FEMA Region VIII
(303) 235-4638 Desk
(303) 945-6367 Cell
megan.floyd@fema.dhs.gov

From: Floyd, Megan
Sent: 13 Feb 2017 15:26:02 -0500
To: R8 External Affairs
Subject: Megan's Week

Activities:

- Finalize the SOP for Programmatic Agreement Signing Ceremonies
- Continue to develop liaison program with Katie (job description and project timeline should be complete this week)
- Begin document that looks at things to consider then FEMA is working directly with a tribe on a disaster declaration
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Issues:

- SWO request
- Spring Flooding potential
- Protests near Standing Rock
- Mitigation Planning Review Guidance Consultation

Schedule:

- In all week
- Doc. Appointment Tuesday need to leave by 2:30

Megan Floyd
FEMA Region VIII
(303) 235-4638 Desk
(303) 945-6367 Cell
megan.floyd@fema.dhs.gov

From: Greff, Stacie
Sent: 31 Jan 2017 22:10:03 -0500
To: Welch, Randy
Cc: Dombrowski, Justin;Floyd, Megan;Hunter, Cynthia;Welch, Randy
Subject: RE: draft of memo to Krikava re Indian Affairs Committee

I'm fine with you sending In a.m., or better, Megan you can push in a.m and cc Randy etc to get it up sooner

Still don't see Riverton need

Sent from my iFEMA mobile device.

From: Welch, Randy
Sent: Wednesday, February 01, 2017 12:49:15 AM
To: Greff, Stacie
Cc: Dombrowski, Justin; Floyd, Megan; Hunter, Cynthia; Welch, Randy
Subject: draft of memo to Krikava re Indian Affairs Committee

Stacie – I'll be out at the eye doc till 9:30/10 Wednesday. Below is what I have put together to send to Richard Krikava, Dana Trytten and Milo Booth – plus copy to Jason and Laura Cirillo, I suppose. Probably way more than he needed. In the draft below, I included the graph about Riverton, which I think they should be alerted to.

If it is good to go, do you or Megan or Cynthia want to forward it? Or wait till I come in mid-morning?

Randy

P.S. An alternative, shorter version about Riverton would be:

> There is an emerging issue about whether the city of Riverton actually belongs to the Wind River Indian Reservation, an argument the tribe has raised in the past. Three federal agencies, led by the EPA, are saying this is indeed the case. The governor has appealed the EPA's determination.

Richard,

Below is our background information on tribal issues and possible FEMA issues for the five Senators from our region who are on the Indian Affairs committee.

Randy Welch

FEMA Region VIII External Affairs
(303) 235-4619

Tribal Issues:

1) Standing Rock: Dakota Access Pipeline Protests - There have been no official requests for FEMA assistance from the tribe or the state

   Background: On April 1, 2016, people began to gather and protest the construction of the Dakota Access Pipeline just north of the Standing Rock Reservation border. Protest crowds were estimated at over 10,000 (*NY Times*) during their peak. Since December 2016, when the Army Corps of Engineers did not approve the easement necessary to permit the pipeline to cross under Lake Oahe, the numbers at the protest camps have fallen to around 500 (+/-). Due to the significant crowd size, North Dakota provided additional law enforcement resulting in substantial costs to the state Office of Homeland Security. In October, the State of North Dakota started to talk about using the Emergency Management Assistance Compact (EMAC) to support the law enforcement efforts. Ultimately other states did provide support to the state. In late September, Senator Hoeven spoke with former Administer Fugate regarding the need to provide financial assistance to the state to support law enforcement. North Dakota has not made any official requests of FEMA for assistance. The Standing Rock Sioux Tribe has not reached out to FEMA for assistance either. At this time, both the Standing Rock Sioux Tribe and the State of North Dakota have called on protestors to leave the protest site and return home based on concerns for spring flooding and the impacts of the protest camp on the local community. FEMA is not engaged on the issue beyond passive monitoring. See most recent news article quoting Senator Hoeven below. Note the situation remains in flux.

2) Rocky Boy's: Office of the Inspector General (OIG) Audit

   In 2010, the Chippewa Cree of the Rocky Boy's Reservation was a direct grantee for DR-1922. Following the event, numerous issues have arisen with the misuse of FEMA funding, as well as other federal grant funds. The Montana U.S. Attorney's office has prosecuted several tribal members, officials and contractors. THE DHS OIG also has been involved with audits of FEMA's Public Assistance grants to the tribe for several years. In mid-January, the region received notice that the OIG will conduct another audit related to funds provided to the tribe for the health clinic that was destroyed during the disaster.

3) Emergency Management Performance Grant Program (EMPG): Funds are not available directly to tribal governments

   Tribes across Region VIII have been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their emergency management programs and in some cases some funds trickle down to tribes; however, the tribes do not have direct access to these funds. The tribes in Region VIII have expressed concerns about the requirements for receiving a direct Presidential Emergency or Major Disaster declaration because they do

not have access to grant program funds to support the development of their emergency management programs and internal capacity.

Additional BIA officers to be dispatched to ND to assist with DAPL protests

KFYR-TV, Bismarck
Posted: Fri 5:00 PM, Jan 27, 2017 |
Updated: Fri 5:02 PM, Jan 27, 2017

WASHINGTON, D.C. - Senator John Hoeven announced Friday the Bureau of Indian Affairs has dispatched 20 additional officers to North Dakota to help state and local law enforcement at the Dakota Access Pipeline protest sites.

This will bring the total number of BIA officers at the site to 40.

"We're working to get more federal law enforcement assistance to work with state and local law enforcement officers. The BIA has committed to provide an additional 20 officers, who should be there this weekend. In addition, we're working with both the Department of Homeland Security and the Department of Justice to provide additional resources as well," Hoeven said.

4) There is also a legal dispute pending before the 10th Circuit Court of Appeals in Denver about whether the city of Riverton is legally still part of the Wind River Indian Reservation. The dispute stems from a ruling by the Department of Interior, in response to a question by the EPA about what the tribal boundaries were. An Interior lawyer said the sale of some plots of land in the early 1900s did not change the boundaries of the reservation. The state has sued over the issue. A recent article in the *Casper Star-Tribune* said the ruling might not make much practical difference to Riverton, but, "If land that Indian nations agreed to let the federal government sell to non-Indians is still subject to tribal sovereignty, that could have far-reaching implications around the country."

Member backgrounds:

John Hoeven, Member - Chairman (ND): Senator Hoeven knows FEMA well from disasters during his ten years as governor (2000-2010) plus now being in his seventh year as Senator, including heading oversight of DHS funding on Homeland Security. He has several FEMA-related concerns.

- His prime issue at present is likely to be the Dakota Access Pipeline project. He was a sponsor of legislation supporting the Keystone XL pipeline before the current situation with the Dakota Access Pipeline, and he recently got the BIA to commit law enforcement officers to help the state's law enforcement at the protest site (which is on land leased to the U.S. Army Corps of Engineers).
- A huge overarching concern for him is furthering the Fargo diversion project and the Minot flood protection system. Fargo is the state's largest city, and Minot is Senator Hoeven's hometown (which flooded badly in 2011). The Fargo-Moorhead Diversion is a proposed project to have the US Army Corps of Engineers built storage capacity and a diversion channel around Fargo for flood protection. It is a long-standing issue with a

great deal of political interest. A number of parties have voiced opposition to the project, including areas south of Fargo and the State of Minnesota. An issue related to both flood control measures is how these projects can work in coordination with flood insurance requirements and premium increases in both communities. Sen. Hoeven has been vocal in his assurances that FEMA will make every effort to support this effort. The draft of a new Minot flood map should be out in a few months, and it will likely show that 5,000+ could be in the new floodplain, an "economic disaster" according to local officials. R8 has been in regular communication with the local floodplain administrator to help advise how the community can minimize premium increases until flood protection is in place, a prospect that is years away even by the most optimistic projections.

- Senator Hoeven has been instrumental in preserving a "basement exception" for certain homes in the Fargo area and 14 other jurisdictions in North Dakota – an issue that was raised to HQ FIMA. The homes in question were specially constructed to provide high-standard basement floodproofing. The "exception" allows these homes to be rated for insurance purposes as if the basement didn't exist, resulting in significantly lower premiums. The city has expressed concern about how the new NFIP legislation might impact the basement exception, as well as how the new flood maps might impact it.
- He will also be concerned about potential flooding in North Dakota this spring. The state's snowpack is running higher than normal, reminiscent of previous flood years. The snowpack is particularly high around Devils Lake, a large closed-basin system (second only to Great Salt Lake) that has been in a 30-year wet cycle, hemmed in largely by a levee and roads that have been raised again and again, largely with FEMA funds.

John Barrasso, Member (WY): No FEMA-related issues. After a quick scan, I think we have only had one inquiry from his office in five years (an NFIP inquiry). The state has had almost no disasters because of its small population scattered over a wide area. The only recent disaster in the state is the 2015 IA and PA declaration for flooding and severe storms in two counties. The disaster gave almost $1.3 million in Individual Assistance to more than 300 households, and $2.6 million for Public Assistance. However, following the declaration, the state's lone congressional office raised the issue of how a FEMA-designated advocate for rural and small states might be able to assist states like theirs in obtaining declarations. The position was written into law years ago by the previous Wyoming congressional representative in response to FEMA's denial of a request involving the small community of Kaycee, but FEMA had not actually designated such an advocate until the issue was raised again in 2015. Currently, FEMA advocacy for small and rural states is handled by HQ IGA. FYI: Barrasso is a former orthopedic surgeon from Casper who was sworn into office in 2007, elected in 2008, and reelected to a full term in 2012…. The state PIO has frequently noted that the state sees cyber-security as a high priority.

Steve Daines, Member (MT): Daines has several relatively mild issues that relate to FEMA.

- He and Senator Tester sponsored the Wildfire Disaster Funding Act, which would establish a Forest Service fund to fight wildfires like FEMA's disaster fund.
- Eastern Montana includes part of the Bakken oil play that has greatly affected North Dakota. Since a considerable amount of the oil moves to the West Coast by train through Montana, the issues of potentially explosive oil spills, awareness of oil shipments, and training to respond to such incidents are a concern in the state. Current low oil prices have reduced the furious rate of the boom, but oil shipments by rail are still up hugely over past rates.

- A longstanding PA project near Laurel, just west of Billings along I-90, stems from the 2011 flood along the Yellowstone River. The riverbed shifted enough that the town's water intake would often be above water and useless at times of low water (typically August). Now that engineering and permitting issues have finally been settled, construction is underway. However, the 25% state/local share is a problem. The intake will cost about $9 million, meaning a $2.2 million state/local share, and neither the locals nor the state has the money, barring a special appropriation by the state. The state legislature came within one vote of passing such an appropriation on the last day of the session two years ago. (The legislature only meets every other year.) The legislature is now in session again, and both legislators and Laurel residents asked Daines' office for help. Laura Cirillo, our regional PA expert, Cynthia Hunter and I recently had a teleconference with Daines' Montana staffer Nathan Adams and his D.C. colleague Matthew Ketron to answer their questions about how the decisions were made, whether the state had visibility throughout, whether the state could say when something was getting too expensive, etc.
    - We explained that although we could talk to the congressionals, as feds to feds, the legislature needed to talk to the Montana Department of Emergency Services.
    - We briefly explained the history of the situation, including the previous intake that had to be replaced, and that we had funded a study that looked at 40-50 different options, then settled on three for more intensive review; then the design, reviews, permitting, etc. all took more time.
    - The money has been obligated. The staffers asked what happened if the work was not completed. Our PA specialist said we could and would take the money back from the state. (So, in effect, the state needs to come up with $2.2 million to prevent in theory $9 million from being taken back.)

FYI: Daines was a former manager for Procter & Gamble, then part of his family's construction business in Bozeman, then executive in a software company that became Bozeman's largest commercial employer. He was elected to the House of Representatives in 2012, then to the Senate in 2014.

Jon Tester, Member (MT) (note it is "Jon," not "John"): Tester's office has been the most active office with FEMA, always on friendly terms.

- Like Daines, he is concerned about funding to fight wildfires.
- Remapping of floodplains and rising flood insurance rates are major sources of concern
- His office has raised concerns about uncertified levees that provide some protection to residents but are not likely to pass muster when the areas are remapped, which will leave significant numbers of residents in high-risk zones and unable to afford the premiums. This issue is most notable in Great Falls, which is threatened by the Sun River, and the eastern plains town of Roundup, threatened by the Milk River.

FYI: Tester is a rancher from the Plains area who grew up near the Rocky Boys reservation and has close friends among the tribe. He is a former music teacher and former president of the Montana state senate. He and his wife also ran a custom butcher shop, and his official bio says he "still butchers his own meat and regularly hauls it to Washington with him in a carry-on suitcase." Tester was elected in 2006 and re-elected in 2012.

Heidi Heitkamp, Member (ND): Heitkamp seems to be conflicted about the Dakota Pipeline situation. Her official bio emphasizes that she will "stand up for Native American families and make sure the U.S. government lives up to its treaty and trust responsibilities." However, she is also a former director of the one-of-a-kind Dakota Gasification synfuels plant, and her bio describes her as a longtime "champion for North Dakota's energy jobs and industry." After President Trump's recent executive orders supporting both Keystone XL and the Dakota Pipeline, Heitkamp put out a press release citing the good news for Keystone – but did not mention the Dakota Pipeline. Like Hoeven, she supports the Fargo diversion and the Minot flood protection projects, and will be concerned about potential flooding in the state this spring. She also has focused on the issue of oil transportation safety, and urged FEMA to do so as well. The volume of crude oil moving by rail quadrupled in less than a decade because of increased production. Lower oil prices have given at least a temporary respite to the frenetic growth of the past several years in the western part of the state, but crude oil traffic by rail remains very high by historic standards. The volume of oil rail transport across North Dakota has increased concern from state, local and tribal emergency managers about a lack of visibility on transport through their areas and ability to handle the potentially devastating accidents. This was heightened by a December 30, 2013, train derailment and crude oil explosion near Casselton (near Fargo, in eastern North Dakota).

From: Welch, Randy
Sent: 9 Feb 2017 11:09:37 -0500
To: Krikava, Richard;Floyd, Megan
Cc: Block, Michelle;Hunter, Cynthia
Subject: RE: Indian Affairs Committee

Yes, Megan and Carol watched the whole hearing. I caught part of it.

Thanks for the heads-up on the Montana mention, AND on Sophie's compliments.

Any thoughts on how to get Sophie going to you guys vs. reaching out to the regional tribal folks? Or are you not real concerned about that? I like having the in-depth multiple relationships between staffers and FEMA, but it seems to me we want her at least including the congressional liaisons. Megan shares the information with us totally, so that's not a problem.

Randy Welch
FEMA Region VIII External Affairs
(303) 235-4619

From: Krikava, Richard
Sent: Thursday, February 09, 2017 6:36 AM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>; Welch, Randy <Randy.Welch@fema.dhs.gov>
Cc: Block, Michelle <michelle.block@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

Team 8:

Don't know if you caught any of the hearing yesterday, but Tester mentioned the 5 feet of snow that fell on the Blackfeet Nation the other day, and cautioned FEMA witnesses that with 5 feet of snow, wind, and likely warming temperatures, "you all will likely be getting some calls soon for assistance." (Or, something to that effect.)

Thanks for all your help in gathering intel. Very much appreciated.

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov



From: Floyd, Megan
Sent: Wednesday, February 01, 2017 12:52 PM
To: Krikava, Richard <Richard.Krikava@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

Yes it is.

From: Krikava, Richard
Sent: Wednesday, February 01, 2017 10:52 AM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

The gift that keeps on giving!

Thanks,

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov



From: Floyd, Megan
Sent: Wednesday, February 01, 2017 12:51 PM
To: Krikava, Richard <Richard.Krikava@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

2017

From: Krikava, Richard
Sent: Wednesday, February 01, 2017 10:50 AM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

Thanks, again, Megan, for the information below.

I've highlighted in yellow a point I need clarification on. Do you mean mid-January 2017 or 2016?

Thanks again!

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov



From: Floyd, Megan
Sent: Wednesday, February 01, 2017 10:26 AM
To: Krikava, Richard <Richard.Krikava@fema.dhs.gov>
Cc: Trytten, Dana <Dana.Trytten@fema.dhs.gov>; Booth, Milo <milo.booth@fema.dhs.gov>; Nelson, Jason <Jason.Nelson2@fema.dhs.gov>; Cirillo, Laura <laura.cirillo@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>; Welch, Randy <Randy.Welch@fema.dhs.gov>; Hunter, Cynthia <Cynthia.Hunter@fema.dhs.gov>; Stephenson, James R <James.Stephenson@fema.dhs.gov>; Garcia, Carol <carol.garcia@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

Richard,

Below is our background information on tribal issues and possible FEMA issues for the five Senators from our region who are on the Indian Affairs committee. I am sending because Randy is out this morning. Let us know if you need anything else.

Megan Floyd
FEMA Region VIII
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(303) 945-6367 Cell

megan.floyd@fema.dhs.gov

Tribal Issues:

1) Standing Rock: Dakota Access Pipeline Protests - There have been no official requests for FEMA assistance from the tribe or the state

   Background: On April 1, 2016, people began to gather and protest the construction of the Dakota Access Pipeline just north of the Standing Rock Reservation border. Protest crowds were estimated at over 10,000 (*NY Times*) during their peak. Since December 2016, when the Army Corps of Engineers did not approve the easement necessary to permit the pipeline to cross under Lake Oahe, the numbers at the protest camps have fallen to around 500 (+/-). Due to the significant crowd size, North Dakota provided additional law enforcement resulting in substantial costs to the state Office of Homeland Security. In October, the State of North Dakota started to talk about using the Emergency Management Assistance Compact (EMAC) to support the law enforcement efforts. Ultimately other states did provide support to the state. In late September, Senator Hoeven spoke with former Administer Fugate regarding the need to provide financial assistance to the state to support law enforcement. North Dakota has not made any official requests of FEMA for assistance. The Standing Rock Sioux Tribe has not reached out to FEMA for assistance either. At this time, both the Standing Rock Sioux Tribe and the State of North Dakota have called on protestors to leave the protest site and return home based on concerns for spring flooding and the impacts of the protest camp on the local community. FEMA is not engaged on the issue beyond passive monitoring. See most recent news article quoting Senator Hoeven below. Note the situation remains in flux.

2) Rocky Boy's: Office of the Inspector General (OIG) Audit

   In 2010, the Chippewa Cree of the Rocky Boy's Reservation was a direct grantee for DR-1922. Following the event, numerous issues have arisen with the misuse of FEMA funding, as well as other federal grant funds. The Montana U.S. Attorney's office has prosecuted several tribal members, officials and contractors. THE DHS OIG also has been involved with audits of FEMA's Public Assistance grants to the tribe for several years. In mid-January, the region received notice that the OIG will conduct another audit related to funds provided to the tribe for the health clinic that was destroyed during the disaster.

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   Tribes across Region VIII have been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their emergency management programs and in some cases some funds trickle down to tribes; however, the tribes do not have direct access to these funds. The tribes in Region VIII have expressed concerns about the requirements for receiving a direct Presidential Emergency or Major Disaster declaration because they do not have access to grant program funds to support the development of their emergency management programs and internal capacity.

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Updated: Fri 5:02 PM, Jan 27, 2017

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From: Krikava, Richard
Sent: 9 Feb 2017 11:14:23 -0500
To: Welch, Randy;Floyd, Megan
Cc: Block, Michelle;Hunter, Cynthia;Nelson, Jason
Subject: RE: Indian Affairs Committee

That's a good question. When I was a senate staffer, I wanted to talk to the folks closest to the action - in this case, the region. While she didn't say precisely what she wanted to talk about, it seems she wants to make sure the region and tribes are connected so the tribes know how/what to do if they choose to seek a declaration.

Adding Jason Nelson for additional perspective.

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov

From: Welch, Randy
Sent: Thursday, February 09, 2017 8:09:37 AM
To: Krikava, Richard; Floyd, Megan
Cc: Block, Michelle; Hunter, Cynthia
Subject: RE: Indian Affairs Committee

Yes, Megan and Carol watched the whole hearing. I caught part of it.

Thanks for the heads-up on the Montana mention, AND on Sophie's compliments.

Any thoughts on how to get Sophie going to you guys vs. reaching out to the regional tribal folks? Or are you not real concerned about that? I like having the in-depth multiple relationships between staffers and FEMA, but it seems to me we want her at least including the congressional liaisons. Megan shares the information with us totally, so that's not a problem.

Randy Welch
FEMA Region VIII External Affairs
(303) 235-4619

From: Krikava, Richard
Sent: Thursday, February 09, 2017 6:36 AM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>; Welch, Randy <Randy.Welch@fema.dhs.gov>

Cc: Block, Michelle <michelle.block@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

Team 8:

Don't know if you caught any of the hearing yesterday, but Tester mentioned the 5 feet of snow that fell on the Blackfeet Nation the other day, and cautioned FEMA witnesses that with 5 feet of snow, wind, and likely warming temperatures, "you all will likely be getting some calls soon for assistance." (Or, something to that effect.)

Thanks for all your help in gathering intel. Very much appreciated.

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov



From: Floyd, Megan
Sent: Wednesday, February 01, 2017 12:52 PM
To: Krikava, Richard <Richard.Krikava@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

Yes it is.

From: Krikava, Richard
Sent: Wednesday, February 01, 2017 10:52 AM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

The gift that keeps on giving!

Thanks,

Richard A. Krikava
FEMA, Congressional Affairs

202-445-8820
richard.krikava@fema.dhs.gov



From: Floyd, Megan
Sent: Wednesday, February 01, 2017 12:51 PM
To: Krikava, Richard <Richard.Krikava@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

2017

From: Krikava, Richard
Sent: Wednesday, February 01, 2017 10:50 AM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

Thanks, again, Megan, for the information below.

I've highlighted in yellow a point I need clarification on. Do you mean mid-January 2017 or 2016?

Thanks again!

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov



From: Floyd, Megan
Sent: Wednesday, February 01, 2017 10:26 AM
To: Krikava, Richard <Richard.Krikava@fema.dhs.gov>
Cc: Trytten, Dana <Dana.Trytten@fema.dhs.gov>; Booth, Milo <milo.booth@fema.dhs.gov>; Nelson, Jason <Jason.Nelson2@fema.dhs.gov>; Cirillo, Laura <laura.cirillo@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>; Welch, Randy <Randy.Welch@fema.dhs.gov>; Hunter, Cynthia <Cynthia.Hunter@fema.dhs.gov>; Stephenson, James R <James.Stephenson@fema.dhs.gov>; Garcia, Carol <carol.garcia@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

Richard,

Below is our background information on tribal issues and possible FEMA issues for the five Senators from our region who are on the Indian Affairs committee. I am sending because Randy is out this morning. Let us know if you need anything else.

Megan Floyd
FEMA Region VIII
(303) 235-4638 Desk
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Tribal Issues:

1) Standing Rock: Dakota Access Pipeline Protests - There have been no official requests for FEMA assistance from the tribe or the state

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From: Stephenson, James R
Sent: 13 Feb 2017 15:28:45 -0500
To: Floyd, Megan
Subject: RE: Megan's Week

You never did let me know if the job description worked as a good start for you guys. I see you're close to finalizing it all.

James "Ricky" Stephenson
FEMA Region VIII
303-235-4304 Office
303-358-6785 Cell

From: Floyd, Megan
Sent: Monday, February 13, 2017 1:26 PM
To: R8 External Affairs <R8PublicAffairs@fema.dhs.gov>
Subject: Megan's Week

Activities:

- Finalize the SOP for Programmatic Agreement Signing Ceremonies
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- Begin document that looks at things to consider then FEMA is working directly with a tribe on a disaster declaration
- Budget stuff
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Issues:

- SWO request
- Spring Flooding potential
- Protests near Standing Rock
- Mitigation Planning Review Guidance Consultation

Schedule:

- In all week
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Megan Floyd
FEMA Region VIII
(303) 235-4638 Desk
(303) 945-6367 Cell
megan.floyd@fema.dhs.gov

From: Floyd, Megan
Sent: 13 Feb 2017 20:32:10 +0000
To: Stephenson, James R
Subject: RE: Megan's Week

Sorry. It was great, we will only have a draft. We made some changes. Softened it a bit since we are really only going to use these folks as stop gap. You never did tell me who you think might be good.

From: Stephenson, James R
Sent: Monday, February 13, 2017 1:29 PM
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From: Dombrowski, Justin
Sent: 13 Feb 2017 10:09:40 -0500
To: Dragani, Nancy;Deal, Timothy;Greff, Stacie;Dick, Jennifer;Appenrodt, Kathleen
Cc: Floyd, Megan
Subject: FW: DAPL Follow Up
Attachments: SOC_Dakota Access_2.10.2017_Final.pdf
Importance: High

Nancy, Tim, Team,
Note there are some actions for FEMA (HQ?) that came out of a meeting in DC on Fri. I don't have any additional details yet.

Pulled from attachment directly (5 total key items – 2 direct w/FEMA):

- The Federal Emergency Management Agency (FEMA) will provide an assessment of whether the situation in North Dakota may merit a presidential emergency declaration under the Stafford Act. FEMA's assessment will include a description of past precedent that may be relevant to the current situation. (Action: FEMA by February 13, 2017)

- DOJ and FEMA will assess whether and how, absent a Stafford Act declaration or external source of funding, the activation of Emergency Support Function (ESF) 13 could provide a Federal coordinating structure to enhance planning related to the situation in North Dakota. (Action: DOJ and FEMA by February 13, 2017)

Referred to Another Agency/Component

Page 0366

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

MEETING ON THE DAKOTA ACCESS PIPELINE

Date: February 10, 2017
Time: 1:00 - 2:30 p.m.
Location: EEOB 350

SUMMARY OF CONCLUSIONS

Select departments and agencies met to discuss potential life and health risks posed by Spring-time floods to protest camps near the Dakota Access Pipeline drill site in North Dakota.

- The Departments of Justice (DOJ), Defense (DoD), and the Interior (DOI) will determine which Federal agency owns the land in the Canon Ball River floodplain, on which the protesters have established their camps, and which agency(ies) has authority to issue and enforce trespass notices. **(Action: DOJ, DoD, and DOI by February 13, 2017)**

- The Federal Emergency Management Agency (FEMA) will provide an assessment of whether the situation in North Dakota may merit a presidential emergency declaration under the Stafford Act. FEMA's assessment will include a description of past precedent that may be relevant to the current situation. **(Action: FEMA by February 13, 2017)**

- DOJ will provide an assessment from the U.S. Attorney for the District of North Dakota as to the additional law enforcement resources necessary to manage the situation in and around the protest camps. **(Action: DOJ by February 13, 2017)**

- The Department of Homeland Security (DHS) will provide an answer to the Governor of North Dakota's letter requesting DHS law enforcement assistance. **(Action: DHS by February 13, 2017)**

- DOJ and FEMA will assess whether and how, absent a Stafford Act declaration or external source of funding, the activation of Emergency Support Function (ESF) 13 could provide a Federal coordinating structure to enhance planning related to the situation in North Dakota. **(Action: DOJ and FEMA by February 13, 2017)**

From: Dombrowski, Justin
Sent: 13 Feb 2017 11:08:26 -0500
To: Dragani, Nancy;Deal, Timothy;Greff, Stacie;Dick, Jennifer;Appenrodt, Kathleen
Cc: Floyd, Megan;Depalo, Lee
Subject: RE: DAPL Follow Up

In follow-up, circled back w/Stacie, Jen and Lee…so dots are connected including Lee who has identified reps (planner/LNO types) that can support if needed and coordinating w/Nancy. Will see what DC comes up with on their meeting today. Thanks, Justin

---

From: Dombrowski, Justin
Sent: Monday, February 13, 2017 8:10 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>; Appenrodt, Kathleen <kathleen.appenrodt@fema.dhs.gov>
Cc: Floyd, Megan (Megan.Floyd@fema.dhs.gov) <Megan.Floyd@fema.dhs.gov>
Subject: FW: DAPL Follow Up
Importance: High

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From: Dombrowski, Justin
Sent: 13 Feb 2017 10:05:37 -0500
To: Misenheimer, Kevin;Floyd, Megan
Subject: RE: DAPL Follow Up

Thanks for the heads-up Kevin! Will share w/leadership team in the region as we were not aware at least end of day Friday, J

Referred to Another Agency/Component

From: Dragani, Nancy
Sent: 13 Feb 2017 11:45:43 -0500
To: Dombrowski, Justin;Deal, Timothy;Greff, Stacie;Dick, Jennifer;Appenrodt, Kathleen
Cc: Floyd, Megan;Depalo, Lee
Subject: RE: DAPL Follow Up

Justin

Thanks for the back brief.

Nancy

Sent from my iFEMA mobile device.

From: Dombrowski, Justin
Sent: Monday, February 13, 2017 11:08:26 AM
To: Dragani, Nancy; Deal, Timothy; Greff, Stacie; Dick, Jennifer; Appenrodt, Kathleen
Cc: Floyd, Megan; Depalo, Lee
Subject: RE: DAPL Follow Up

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From: Dombrowski, Justin
Sent: Monday, February 13, 2017 8:10 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>; Appenrodt, Kathleen <kathleen.appenrodt@fema.dhs.gov>
Cc: Floyd, Megan (Megan.Floyd@fema.dhs.gov) <Megan.Floyd@fema.dhs.gov>
Subject: FW: DAPL Follow Up
Importance: High

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From: DeFelice, Jerome
Sent: 2 Mar 2017 10:08:50 -0500
To: Greff, Stacie;Dombrowski, Justin
Cc: Floyd, Megan;Stephenson, James R;Garcia, Carol
Subject: Clip: ND DAPL

Thought this was interesting. Not going to include in the clips.

AP Exclusive: Taxes could flow with Dakota Access pipeline

- By JAMES MacPHERSON Associated Press
- Mar 1, 2017 Updated 14 hrs ago

BISMARCK, N.D. (AP) — North Dakota stands to gain more than $110 million annually in tax revenue after oil begins coursing through the Dakota Access pipeline, an analysis by The Associated Press shows.

The calculation shows the potential payoff for a state whose officials have supported the pipeline despite concerns from Native American tribes and other opponents who fear it could harm drinking water and sacred sites. The money the state stands to make in just one year far outstrips the $33 million in costs to police a section of the pipeline that's been the subject of intense and sometimes violent protests over the last year.

"The amount of the windfall to the state doesn't surprise me at all," said Payu Harris, an American Indian activist and pipeline opponent. "That's why the state of North Dakota expended the resources they did."

Dallas-based Energy Transfer Partners' $3.8 billion pipeline will carry oil more than 1,000 miles to a shipping point in Illinois and may be moving oil as early as next week. Its completion would be welcome both for drillers seeking a cheaper path to market and for the state government in North Dakota, where declining tax revenue has clouded its budget.

"Every dollar they get extra is good for the state as well," state tax commissioner Ryan Rauschenberger said.

State budget analysts and an economic consulting firm working on the revenue forecast that lawmakers will use to create a spending plan for the next two years may take the potential tax benefits into account, State Budget Director Pam Sharp said. The new forecast will be released next week.

North Dakota in the past decade has become the second-biggest oil producer in the United States, behind Texas. But its location in the northern Plains, far from major oil markets, means less profit on each barrel of oil. North Dakota lowers its tax on each barrel to keep its crude competitive with other states.

Much of North Dakota's oil is shipped by truck or train. The 1,200-mile Dakota Access pipeline would carry the oil through South Dakota and Iowa to a shipping point in Illinois. It could shave shipping costs by more than $3 a barrel, according to Ron Ness, president of the North Dakota Petroleum Council. State tax officials estimate every dollar saved means about $33.6 million in added tax revenue each year.

"Every dollar back is a win for producers, the state and mineral owners," said Ness, who called the Dakota Access pipeline the most important infrastructure project in North Dakota since the interstate highway system.

It also will link to pipelines serving Gulf Coast refineries, which pay premium prices for high quality sweet crude like that drilled in North Dakota.

In addition to oil tax revenue, the pipeline is estimated to generate $55 million in property taxes annually in the four states it crosses, including more than $10 million a year in North Dakota, said Rauschenberger, the state tax commissioner.

That will provide much-needed revenue to rural counties, he said.

"It's going to benefit schools and counties and more valuation means lower property tax bills for everybody," Rauschenberger said.

The AP's analysis calculated the more than $10 million property tax gain combined with the additional $100 million in oil taxes from higher crude prices that drillers expect to achieve once the pipeline is in place.

The pipeline was first announced in 2014, days after then-Gov. Jack Dalrymple, a Republican, urged that more oil and gas pipelines be built to reduce hazardous truck and oil train traffic and to curb the flaring — or burning off — of natural gas at wellheads.

Dakota Access sailed through the state's approval process, only to run into resistance from the Standing Rock Sioux, whose reservation straddling the North Dakota-South Dakota border is near the pipeline's route. The Standing Rock Sioux and other tribes urged the U.S. government not to allow the project to move forward and fought the pipeline in court and with protests at a nearby encampment on federal land that at times grew to include thousands of people.

The opponents were dealt a devastating setback in January when President Donald Trump signed an executive order to advance the pipeline's construction. The Army subsequently gave approval for ETP to put the last final big chunk of pipe under a Missouri River reservoir near the Standing Rock Sioux Reservation. The Army has authority over that stretch because its Corps of Engineers manages the Missouri River.

Authorities last week cleared the last vestiges of the protest camp ahead of spring flooding, although the Standing Rock and Cheyenne River Sioux continue to fight the project in court.

Jerry DeFelice
External Affairs
FEMA Region VIII, Denver
303-235-4948
303-941-5088 cell
Jerome.DeFelice@fema.dhs.gov



From: DeFelice, Jerome
Sent: 3 Feb 2017 10:40:35 -0500
To: Stephenson, James R;Garcia, Carol;Floyd, Megan
Cc: Greff, Stacie;Dombrowski, Justin
Subject: Clip: ND Tribal

Tribal chairman decries Dakota Access protesters' new camp

- BLAKE NICHOLSON Associated Press
- 19 hrs ago

BISMARCK, N.D. | Dakota Access oil pipeline protesters who tried to set up a new camp on private land undermined the Standing Rock Sioux tribe's efforts to stop the $3.8 billion project, tribal Chairman Dave Archambault says.

Archambault in recent weeks has been pushing protesters to leave their flood-prone main encampment on federal land between the reservation and the pipeline route and asking that activism be spread around the U.S. He said efforts by some to establish a camp Wednesday on nearby higher ground "do not represent the tribe."

Authorities arrested 74 protesters, including American Indian activist Chase Iron Eyes, after they set up teepees Wednesday on land owned by Texas-based pipeline developer Energy Transfer Partners. Protesters said they were peacefully assembling on land they believe rightfully belongs to American Indians. The Morton County Sheriff's Office initially reported 76 arrests but later said two were protesters accused of unrelated drug offenses.

The new camp site was west of the main encampment that for months has housed hundreds and sometimes thousands of people who support the tribe's position that the pipeline threatens their drinking water and Native American cultural sites. The pipeline would carry oil from North Dakota through the Dakotas and Iowa to a shipping point in Illinois. The route would go under Lake Oahe, a large reservoir along the Missouri River. Energy Transfer Partners disputes the tribe's arguments and says the pipeline will be safe.

A few hundred people still remain in the main camp, which is being cleaned up this week in advance of spring flooding that could carry any remaining refuse into the Missouri River. Archambault in recent weeks has called for the camp to disband, and late Wednesday he urged people who have left to stay away.

"In these past few weeks at camp, I see no reflection of our earlier unity, and without unity we lose," he said.

Iron Eyes, who made an unsuccessful bid for Congress last fall, remained jailed Thursday and unavailable for comment, a spokesman said. Iron Eyes told The Associated Press last week that he and others feel a need to "keep up the pressure" because "right now the will of the public is being expressed by a president that does not represent the majority in this country."

President Donald Trump last month called on the Army to reconsider its earlier decision to block the pipeline from being laid under Lake Oahe. It's the last big chunk of construction for the pipeline, and work has stalled while ETP battles the Army Corps of Engineers in court for permission to proceed.

Acting Army Secretary Robert Speer on Tuesday ordered a review of the Army's earlier decision not to grant permission until more study was done. It's unclear how long the review will take, but U.S. Sen. John Hoeven told the AP that after a conversation with Speer, he's certain permission will be granted soon.

"The fight is no longer here, but in the halls and courts of the federal government," Archambault said.

After Wednesday's arrests, law enforcement allowed people in the main camp to come to the new camp site and remove the teepees, which American Indians consider sacred.

Jerry DeFelice
External Affairs
FEMA Region VIII, Denver
303-235-4948
303-941-5088 cell
Jerome.DeFelice@fema.dhs.gov



From: DeFelice, Jerome
Sent: 6 Feb 2017 10:08:13 -0500
To: R8 External Affairs
Subject: Clip: ND tribal

I'll include this in the clips…

Standing Rock Sioux want 'no forcible removal' of protesters from Dakota Access pipeline site

By Juliet Eilperin, *The Washington Post*

Standing Rock Sioux Tribe officials said this weekend that while they were working with federal authorities to stabilize the situation at the Dakota Access Pipeline protest site, they were not calling on law enforcement to forcibly remove activists there.

After months of protests, both tribal officials and residents in the town of Cannon Ball, North Dakota, have asked those opposed to completion of the controversial, 1,170-mile pipeline to leave. A few hundred activists remain, both on the Standing Rock Sioux's reservation and on neighboring land.

Tribal officials and their allies, including environmentalists and many military veterans, argue that the project could cause environmental damage and disturb ancient burial sites. Proponents, including President Donald Trump and many business and labor leaders, say it will spur economic growth in the United States and provide a means of safely transporting heavy crude from western North Dakota to the pipeline networks and refineries in Illinois.

On Friday evening, the acting assistant secretary for Indian affairs, Michael S. Black, said that the agency had sent "enforcement support and would assist" the tribe "in closing the protest camps within the Standing Rock Reservation boundary."

But tribal officials responded over the weekend that while they wanted people to leave the reservation, they did not want them arrested or ousted by force. On Wednesday, law enforcement authorities arrested 74 protesters who had decamped to land owned by the pipeline's developer, Energy Transfer Partners.

Related Articles

- February 1, 2017 Review of pipeline could be beginning of end for opponents
- January 25, 2017 Protesters hoist "RESIST" banner from crane near White House

"We want to stress that we are cleaning the camps, not clearing them," the tribe posted on Facebook on Saturday. "We do not support or endorse any 'raids.' We have not asked for law enforcement to assist in clearing camps and in fact have repeatedly told them there will be no forcible removal."

Tribal officials have been trying to persuade protesters to leave on their own, although it is unclear whether they will do so. The extended period of encampment has caused soil erosion that could cause significant flooding, depending on future weather conditions.

Trump has instructed Army Corps of Engineers officials – who withheld the final permit needed to complete the pipeline project in December, citing the need for a more extensive environmental review — to expedite its review of Energy Transfer Partners' application. Officials confirmed last week they were accelerating their review but had not reached a final decision yet.

In the Facebook post, the tribe officials emphasized that they would continue to fight any federal permit for the pipeline in court but that opponents had to be sensitive to those living around the reservation.

"One of the key tenets of any movement is being considerate about how we treat the community in which we bring our voices and respect the places where we are visitors," it said. "The community of Cannonball has every right to choose how it wants people to help them. We are still focused on defeating DAPL on all fronts."

Jerry DeFelice
External Affairs
FEMA Region VIII, Denver
303-235-4948
303-941-5088 cell
Jerome.DeFelice@fema.dhs.gov



From: Hudson, Lamont
Sent: 23 Feb 2017 12:48:23 -0500
To: Depalo, Lee
Cc: Floyd, Megan;Greff, Stacie
Subject: DAPL Protestors

Lee,

Reading online sources, approximately 10 arrests were made while disbanding the Standing Rock Protest Camp (Oceti Sakowin). About 40 protestors remain at the camp this morning. There are 2 bulldozers onsite, ready to begin clean-up of former camp.

The situation is peaceful at this time.

http://bismarcktribune.com/news/columnists/law-enforcement-enters-protest-camp/article_e0c65aee-e5ef-5325-a94b-d6fda308d628.html

Respectfully,

Lamont Hudson

DHS/FEMA Region VIII - Logistics
Ordering Unit Lead
Denver Federal Center, Bldg. #20
Office: 303-235-4851
Cell: 303-842-4682
Fax: 303-233-2504

"Teamwork makes the DREAM work."

From: Greff, Stacie
Sent: 3 Feb 2017 11:41:58 -0500
To: Floyd, Megan
Cc: Dombrowski, Justin
Subject: FW: Pipeline video

Dennis mentioned at 915. Ensuring you see these since sent to leaderhship

---

From: Fisher, Dennis
Sent: Friday, February 03, 2017 9:32 AM
To: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Cc: Depalo, Lee <lee.depalo@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Subject: Pipeline video

Good Morning Stacie and Justin,

Couple of links on the protest from KFYR Bismarck,

http://www.kfyrtv.com/content/news/Cleanup-continues-at-the-Oceti-Sakowin-protest-camp-412609283.html

http://www.kfyrtv.com/content/news/Standing-Rock-Sioux-Tribe-says-they-are-not-associated-with-DAPL-protesters-who-attempted-to-establish-new-camp-412494563.html

Maybe it's over,

Dennis Fisher
Incident Support Branch Chief
RRCC-Workforce Management-Emergency Communications
DHS/FEMA Region VIII
Response Division
DFC Building 710
Denver, CO 80225

dennis.fisher@fema.dhs.gov

303-235-4736
303-808-0033

From: Greff, Stacie
Sent: 23 Feb 2017 16:22:17 -0500
To: Floyd, Megan
Subject: FW: Update - DAPL Protestors

Sent from my iFEMA mobile device.

From: Depalo, Lee
Sent: Thursday, February 23, 2017 8:12:09 PM
To: Dragani, Nancy
Cc: Deal, Timothy; Greff, Stacie
Subject: FW: Update - DAPL Protestors

FYSA

Lee dePalo

Response Division Director
FEMA Region VIII
Cell: 720-456-9616
Desk: 303-235-4990

Sent from my iFEMA mobile device.

From: Hudson, Lamont
Sent: Thursday, February 23, 2017 12:54:45 PM
To: Depalo, Lee
Subject: Update - DAPL Protestors

Lee –

"CANNON BALL, N.D. - At a press conference Thursday, North Dakota Highway Patrol Lieutenant Tom Iverson said 33 people were arrested near the Oceti Sakowin protest camp Thursday morning.

Since the eviction notice was delivered, 44 people have been arrested.

Iverson said cleanup has not started, as they are waiting to make sure the camp is cleared before continuing the cleanup process."

Respectfully,

Lamont Hudson

DHS/FEMA Region VIII - Logistics
Ordering Unit Lead
Denver Federal Center, Bldg. #20
Office: 303-235-4851
Cell: 303-842-4682
Fax: 303-233-2504

"Teamwork makes the DREAM work."

From: Depalo, Lee
Sent: Thursday, February 23, 2017 11:10 AM
To: Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>
Subject: RE: DAPL Protestors

I think we're good for now and know you are keeping an eye on it.

Lee

Lee dePalo

Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990

FEMA

From: Hudson, Lamont
Sent: Thursday, February 23, 2017 11:10 AM
To: Depalo, Lee <lee.depalo@fema.dhs.gov>
Subject: RE: DAPL Protestors

Do you need anything more at this time?

Respectfully,

Lamont Hudson

DHS/FEMA Region VIII - Logistics
Ordering Unit Lead
Denver Federal Center, Bldg. #20

Office: 303-235-4851
Cell: 303-842-4682
Fax: 303-233-2504

"Teamwork makes the DREAM work."

From: Depalo, Lee
Sent: Thursday, February 23, 2017 11:09 AM
To: Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>
Subject: RE: DAPL Protestors

Thanks Lamont

Lee dePalo

Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990



From: Hudson, Lamont
Sent: Thursday, February 23, 2017 10:48 AM
To: Depalo, Lee <lee.depalo@fema.dhs.gov>
Cc: Floyd, Megan <Megan.Floyd@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: DAPL Protestors

Lee,

Reading online sources, approximately 10 arrests were made while disbanding the Standing Rock Protest Camp (Oceti Sakowin). About 40 protestors remain at the camp this morning. There are 2 bulldozers onsite, ready to begin clean-up of former camp.

The situation is peaceful at this time.

http://bismarcktribune.com/news/columnists/law-enforcement-enters-protest-camp/article_e0c65aee-e5ef-5325-a94b-d6fda308d628.html

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Ordering Unit Lead
Denver Federal Center, Bldg. #20

Office: 303-235-4851
Cell: 303-842-4682
Fax: 303-233-2504

“Teamwork makes the DREAM work.”

From: Floyd, Megan
Sent: 24 Apr 2017 17:03:27 +0000
To: Rivera, Luisa;Dick, Jennifer
Subject: FW: ND Update #2A

Number 1 email

From: Floyd, Megan
Sent: Wednesday, February 22, 2017 3:37 PM
To: FEMA-MOC-DENVER <FEMA-MOC-DENVER@fema.dhs.gov>; Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Cc: Sterling, Stephen <Stephen.Sterling@fema.dhs.gov>; Root, Michael <Michael.Root@fema.dhs.gov>
Subject: RE: ND Update #2

Thanks.

We have been monitoring social and mainstream media from the JIC and we are see the same thing. Per social media, some of these arrests were planned so it isn't surprising. Hopefully things stay non-violent.

M.

From: FEMA-MOC-DENVER
Sent: Wednesday, February 22, 2017 3:29 PM
To: Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Cc: Sterling, Stephen <Stephen.Sterling@fema.dhs.gov>; Root, Michael <Michael.Root@fema.dhs.gov>; FEMA-MOC-DENVER <FEMA-MOC-DENVER@fema.dhs.gov>
Subject: ND Update #2

All,

Looks like some arrests may beginning per some twitter feed.

Sources:
https://www.rt.com/usa/378331-police-remove-final-dapl-protesters/
https://twitter.com/AP?ref_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor

Elizabeth Nakai
Operations Watch Officer
Denver MERS Operations Center &
FEMA Alternate Operations Center – West
800-311-7021

From: FEMA-MOC-DENVER
Sent: Wednesday, February 22, 2017 1:00 PM
To: Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: ND Update

Good Afternoon,

Just came across a couple items of possible interest involving North Dakota.



The Bismarck Tribune @bistrib · 23m

Protesters gathered at the entrance to the camp. Photo by Tribune photographer Tom Stromme



2 2 2

R. Shane Gibson
Operations Watch Officer
Denver MERS Operations Center (MOC) &
FEMA Alternate Operations Center – West (FAOC-West)
Fema-moc-denver@fema.dhs.gov
800 311-7021

From: Floyd, Megan
Sent: 22 Feb 2017 19:48:45 +0000
To: Kimbrough, Lynn
Subject: hash tags

#NDResponse
#DAPL
#NODAPL
#YESDAPL
#standingwithstandingrock

Megan Floyd
FEMA Region VIII
(303) 235-4638 Desk
(303) 945-6367 Cell
megan.floyd@fema.dhs.gov

From: FEMA-MOC-DENVER
Sent: 22 Feb 2017 17:29:15 -0500
To: Hudson, Lamont;Greff, Stacie;Floyd, Megan
Cc: Sterling, Stephen;Root, Michael;FEMA-MOC-DENVER
Subject: ND Update #2

All,

Looks like some arrests may beginning per some twitter feed.

Sources:
https://www.rt.com/usa/378331-police-remove-final-dapl-protesters/
https://twitter.com/AP?ref_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor

Elizabeth Nakai
Operations Watch Officer
Denver MERS Operations Center &
FEMA Alternate Operations Center – West
800-311-7021

From: FEMA-MOC-DENVER
Sent: Wednesday, February 22, 2017 1:00 PM
To: Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: ND Update

Good Afternoon,

Just came across a couple items of possible interest involving North Dakota.

The Bismarck Tribune @bistrib · 5m

Protesters have blockaded the camp entrance. Photo by @jmholdman



1

The Bismarck Tribune @bistrib · 23m

Protesters gathered at the entrance to the camp. Photo by Tribune photographer Tom Stromme



2 2 2

R. Shane Gibson
Operations Watch Officer
Denver MERS Operations Center (MOC) &
FEMA Alternate Operations Center – West (FAOC-West)
Fema-moc-denver@fema.dhs.gov
800 311-7021

From: Greff, Stacie
Sent: 14 Mar 2017 15:17:07 -0400
To: Dombrowski, Justin;Floyd, Megan
Subject: NEMA 2017 Mid-Year Forum Information - Increased Security Measures
Attachments: MY17 Attendee List.pdf, 2017MYSponsor&Exhibitor Information.pdf
Importance: High

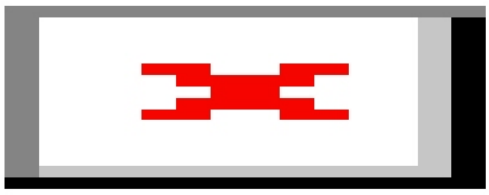
As mentioned… scroll down.

From: Dragani, Nancy
Sent: Friday, March 10, 2017 8:50 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Cc: Appenrodt, Kathleen <kathleen.appenrodt@fema.dhs.gov>
Subject: FW: NEMA 2017 Mid-Year Forum Information - Increased Security Measures
Importance: High

We will want to at least mention this is our write up for HQ. As I noted to Karen in my reply…Wow!

From: Karen Cobuluis [mailto:kcobuluis@csg.org]
Sent: Friday, March 10, 2017 7:56 AM
To: Karen Cobuluis <kcobuluis@csg.org>
Subject: NEMA 2017 Mid-Year Forum Information - Increased Security Measures
Importance: High

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Good morning NEMA Mid-Year Forum Participants – I'd like to thank you all for registering to attend the NEMA 2017 Mid-Year Forum. We have a stellar agenda lined up and know this will be an informative and successful forum for everyone.

As you are making preparations to attend the forum, I wanted to make you all aware of a developing situation and NEMA's efforts to minimize the impact on our forum participants.

I'm sure you are all aware of the protests surrounding the North Dakota Access pipeline project. What you may not be aware of is that the law enforcement assistance brought in from neighboring states by North Dakota was coordinated through the Emergency Management Assistance Compact (EMAC), the interstate mutual aid agreement which is administered by NEMA. States that deployed personnel through EMAC have been experiencing some negative feedback and even EMAC has received threats on social media due to our role in that ongoing situation. Tactics used by these instigator groups have included acquiring names and addresses of persons directly and indirectly involved in the situations they are protesting against and posting that personal information online which has resulted in harassment of those individuals and their families. NEMA has seen social media posts encouraging protesting the Mid-Year Forum. We are taking this very seriously, monitoring social media continually and have developed a plan to minimize the potential disruptions at the forum. We are prepared to take further measures to increase security if that becomes necessary. In the meantime, however, we wanted to make you aware of several measures that we have undertaken out of an abundance of caution to decrease the likelihood of unregistered persons accessing forum participant information.

Security measures include:

- Not posting online or handing out the pre-forum participant list;
- Not posting online or handing out the Sponsor & Exhibitor Directory;
- Not using "State Director", "Sponsor" or other ribbons that stand out and identify VIPs;
- Not posting online the post-forum attendee list;
- Monitoring of common areas for unregistered persons;
- Additional enforcement of the requirement that NEMA forum badge be displayed at all times;
- Additional monitoring of public areas of the hotel;
- Additional monitoring of access points such as secondary entrances and hallways;
- Working with hotel security and local police on contingency planning.

I am very aware that many of you use the PDF copies of the Attendee List and Sponsor & Exhibitor Directory that we post on our website as well as the searchable versions on our mobile website to plan meetings and networking opportunities with colleagues. Those lists will not be available online or at Registration, however, they are attached to this message. We ask that you keep them confidential for the protection of all forum attendees. I am also aware that these additional security measures directly impact the visibility that the forum sponsors and exhibitors are

entitled to and have come to expect at NEMA forums and additional efforts will be made to call attention to their support through announcements, recognition during the general session and during the March 23rd luncheon so please make sure you are in attendance during those events to show your support and appreciation to them. Please also make every effort to visit the exhibit area to directly express your thanks for their support.

Hopefully those additional efforts will minimize the impact of not having the Attendee List and Sponsor & Exhibitor Directory available on demand or having the identifying ribbons on your badges.

The forum agenda, committee agendas, presentations and all other pre-forum materials are available on the NEMA website as usual.

We are entirely hopeful that this is a one-time situation. Please do not hesitate to reach out if you have questions or need additional information on this situation. Thank you for your understanding and I look forward to seeing you all very soon.

All the best,
-Karen

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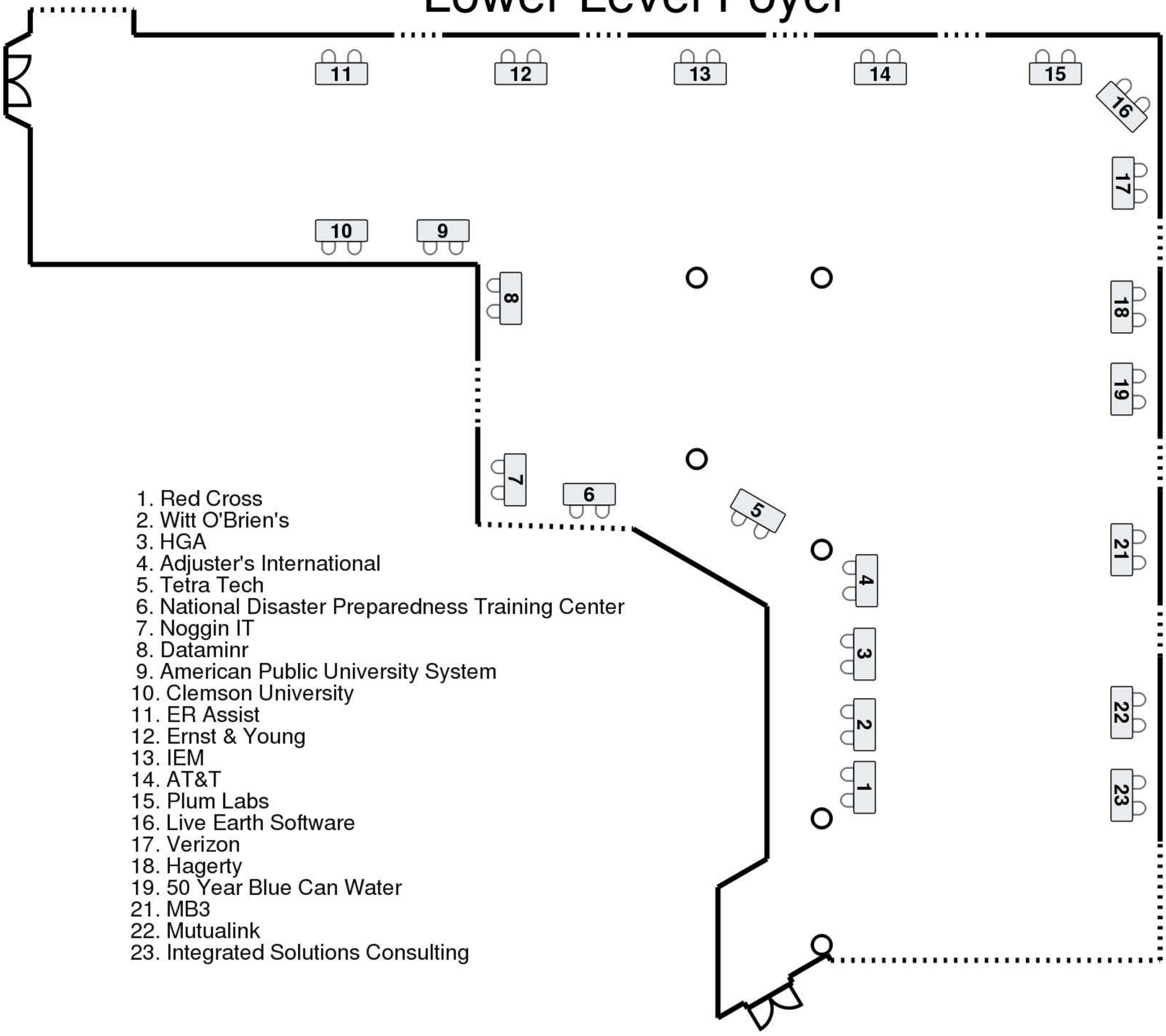
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22. Mutualink
23. Integrated Solutions Consulting

From: Welch, Randy
Sent: 6 Mar 2017 18:36:31 -0500
To: R8 External Affairs
Subject: next pipeline step

AP story picked up from the Missoulian…

Randy Welch
FEMA Region VIII External Affairs
(303) 235-4619

American Indians protesting Trump, pipeline with march

- Associated Press
- Mar 6, 2017 Updated 2 hrs ago

BISMARCK, N.D. — Members of American Indian tribes from around the country are gathering in Washington for four days of protests against the Trump administration and the Dakota Access oil pipeline that will culminate with a Friday march on the White House.

Starting Tuesday, tribal members and supporters plan to camp each day on the National Mall, with teepees, a ceremonial fire, cultural workshops and speakers. Native American leaders also plan to lobby lawmakers to protect tribal rights.

On Friday, a march of about 2 miles is planned from the Army Corps of Engineers office to the White House, where a rally is scheduled. Organizers on Monday didn't immediately know how many people or tribes planned to take part.

"We are calling on all our Native relatives and allies to rise with us," said Dave Archambault, the chairman of the Standing Rock Sioux tribe. "We must march against injustice. Native nations cannot continue to be pushed aside to benefit corporate interests and government whim."

The White House didn't immediately respond to a request for comment Monday.

The protest comes as a federal judge in Washington is weighing a request by the Standing Rock and Cheyenne River Sioux tribes to halt construction of the last section of the Dakota Access pipeline pending the outcomes of their lawsuit seeking to stop the project. The tribes say that section of the pipeline, which will pass under Lake Oahe, a large Missouri River reservoir, will threaten their water supply, sacred sites and religious rights. The judge is expected to rule this week.

The Friday march will begin at the Corps of Engineers office because the agency manages the Missouri River and last month gave the pipeline developer, Texas-based Energy Transfer Partners, permission to finish the project. The company expects to wrap up the work and have oil flowing this month.

The two tribes feel they weren't properly consulted about the pipeline route, which the government disputes. They also they maintain their treaty rights were violated when the government changed its mind about doing further environmental study of the Lake Oahe crossing after President Donald Trump took office in January.

"This fight against the Dakota Access pipeline has been the tip of the spear of a powerful global movement calling for the United States government and Donald Trump to respect indigenous nations and people in our right to water, land, sovereignty, and culture," said Dallas Goldtooth, an organizer with the Indigenous Environmental Network.

From: Floyd, Megan
Sent: 23 Feb 2017 22:13:03 +0000
To: Greff, Stacie
Subject: RE: Lamont

No. Things have been as peaceful as I think we could have hoped for. The few arrests haven't been violent (at least that I have heard about) and the burning of the structures was a ceremony end to the camp. Things could have gotten really bad, but overall, this has been a decent process.

It does look like there will be a protest/camp in DC in March to protest the DAPL but I haven't seen anything from a good source yet.

From: Greff, Stacie
Sent: Thursday, February 23, 2017 3:09 PM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: Lamont

Anything additional from your end that was missed?

Sent from my iFEMA mobile device.

From: Floyd, Megan
Sent: 22 Feb 2017 22:37:26 +0000
To: FEMA-MOC-DENVER;Hudson, Lamont;Greff, Stacie
Cc: Sterling, Stephen;Root, Michael
Subject: RE: ND Update #2

Thanks.

We have been monitoring social and mainstream media from the JIC and we are see the same thing. Per social media, some of these arrests were planned so it isn't surprising. Hopefully things stay non-violent.

M.

From: FEMA-MOC-DENVER
Sent: Wednesday, February 22, 2017 3:29 PM
To: Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Cc: Sterling, Stephen <Stephen.Sterling@fema.dhs.gov>; Root, Michael <Michael.Root@fema.dhs.gov>; FEMA-MOC-DENVER <FEMA-MOC-DENVER@fema.dhs.gov>
Subject: ND Update #2

All,

Looks like some arrests may beginning per some twitter feed.

Sources:
https://www.rt.com/usa/378331-police-remove-final-dapl-protesters/
https://twitter.com/AP?ref_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor

Elizabeth Nakai
Operations Watch Officer
Denver MERS Operations Center &
FEMA Alternate Operations Center – West
800-311-7021

From: FEMA-MOC-DENVER
Sent: Wednesday, February 22, 2017 1:00 PM
To: Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: ND Update

Good Afternoon,

Just came across a couple items of possible interest involving North Dakota.

The Bismarck Tribune @bistrib · 5m

Protesters have blockaded the camp entrance. Photo by @jmholdman



1

The Bismarck Tribune @bistrib · 23m

Protesters gathered at the entrance to the camp. Photo by Tribune photographer Tom Stromme



2 2 2

R. Shane Gibson
Operations Watch Officer
Denver MERS Operations Center (MOC) &
FEMA Alternate Operations Center – West (FAOC-West)
Fema-moc-denver@fema.dhs.gov
800 311-7021

From: Floyd, Megan
Sent: 22 Feb 2017 22:46:15 +0000
To: Greff, Stacie
Subject: RE: ND Update #2

I had not called yet because I had gotten pulled into something else. I replied to the email letting them know we were also watching. If you want me to call now I can. Sorry. Time keeps getting sucked away.

From: Greff, Stacie
Sent: Wednesday, February 22, 2017 3:43 PM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: FW: ND Update #2

Did you call the moc?

Sent from my iFEMA mobile device.

From: Hudson, Lamont
Sent: Wednesday, February 22, 2017 10:40:40 PM
To: FEMA-MOC-DENVER; Greff, Stacie; Floyd, Megan
Cc: Sterling, Stephen; Root, Michael
Subject: RE: ND Update #2

Thanks for the update Elizabeth.

Respectfully,

Lamont Hudson

DHS/FEMA Region VIII - Logistics
Ordering Unit Lead
Denver Federal Center, Bldg. #20
Office: 303-235-4851
Cell: 303-842-4682
Fax: 303-233-2504

"Teamwork makes the DREAM work."

From: FEMA-MOC-DENVER
Sent: Wednesday, February 22, 2017 3:29 PM
To: Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Cc: Sterling, Stephen <Stephen.Sterling@fema.dhs.gov>; Root, Michael

<Michael.Root@fema.dhs.gov>; FEMA-MOC-DENVER <FEMA-MOC-DENVER@fema.dhs.gov>
Subject: ND Update #2

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https://www.rt.com/usa/378331-police-remove-final-dapl-protesters/
https://twitter.com/AP?ref_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor

Elizabeth Nakai
Operations Watch Officer
Denver MERS Operations Center &
FEMA Alternate Operations Center – West
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Sent: Wednesday, February 22, 2017 1:00 PM
To: Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Floyd, Megan <Megan.Floyd@fema.dhs.gov>
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Protesters have blockaded the camp entrance. Photo by @jmholdman



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The Bismarck Tribune @bistrib · 23m

Protesters gathered at the entrance to the camp. Photo by Tribune photographer Tom Stromme



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Operations Watch Officer
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FEMA Alternate Operations Center – West (FAOC-West)
Fema-moc-denver@fema.dhs.gov
800 311-7021

From: Floyd, Megan
Sent: 3 Feb 2017 16:50:36 +0000
To: Greff, Stacie
Subject: RE: Pipeline video

Thank you.

How much do you want me to be sending? Do you want me to be looking at these kinds of link or just keep it short and simple…. They are clearing the protest sites?

From: Greff, Stacie
Sent: Friday, February 03, 2017 9:42 AM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Cc: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: FW: Pipeline video

Dennis mentioned at 915. Ensuring you see these since sent to leaderhship

---

From: Fisher, Dennis
Sent: Friday, February 03, 2017 9:32 AM
To: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Cc: Depalo, Lee <lee.depalo@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Subject: Pipeline video

Good Morning Stacie and Justin,

Couple of links on the protest from KFYR Bismarck,

http://www.kfyrtv.com/content/news/Cleanup-continues-at-the-Oceti-Sakowin-protest-camp-412609283.html

http://www.kfyrtv.com/content/news/Standing-Rock-Sioux-Tribe-says-they-are-not-associated-with-DAPL-protesters-who-attempted-to-establish-new-camp-412494563.html

Maybe it's over,

Dennis Fisher
Incident Support Branch Chief
RRCC-Workforce Management-Emergency Communications
DHS/FEMA Region VIII
Response Division
DFC Building 710
Denver, CO 80225

dennis.fisher@fema.dhs.gov

303-235-4736
303-808-0033

From: Greff, Stacie
Sent: 3 Feb 2017 11:51:47 -0500
To: Floyd, Megan
Subject: RE: Pipeline video

Just use your judgement. It's good.

From: Floyd, Megan
Sent: Friday, February 03, 2017 9:51 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: Pipeline video

Thank you.

How much do you want me to be sending? Do you want me to be looking at these kinds of link or just keep it short and simple…. They are clearing the protest sites?

From: Greff, Stacie
Sent: Friday, February 03, 2017 9:42 AM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Cc: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: FW: Pipeline video

Dennis mentioned at 915. Ensuring you see these since sent to leaderhship

---

From: Fisher, Dennis
Sent: Friday, February 03, 2017 9:32 AM
To: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Cc: Depalo, Lee <lee.depalo@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Subject: Pipeline video

Good Morning Stacie and Justin,

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http://www.kfyrtv.com/content/news/Standing-Rock-Sioux-Tribe-says-they-are-not-associated-with-DAPL-protesters-who-attempted-to-establish-new-camp-412494563.html

Maybe it's over,

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DFC Building 710
Denver, CO 80225

dennis.fisher@fema.dhs.gov

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303-808-0033

From: Depalo, Lee
Sent: 3 Feb 2017 17:24:08 -0500
To: Floyd, Megan
Subject: RE: Update regarding pipeline protests

Thanks Megan

Lee dePalo

Response Division Director
FEMA Region VIII
Cell: 720-456-9616
Desk: 303-235-4990

Sent from my iFEMA mobile device.

From: Floyd, Megan
Sent: Friday, February 03, 2017 3:10:15 PM
To: FEMA-MOC-DENVER; Root, Michael
Cc: Depalo, Lee; Greff, Stacie; Dombrowski, Justin; Hudson, Lamont
Subject: Update regarding pipeline protests

Good Afternoon –

Below are some of the actives that happened this week regarding the protests near Standing Rock:

- The primary protest camp (Sacred Stone Camp) is being demolished. (Tribal Facebook Page)
- The Standing Rock Sioux Tribe has asked that protestors to go home. However, some protestors have tried to set up a new camp on private land which lead to 74 arrests this week. (Media)
- The State of North Dakota and the Standing Rock Sioux Tribe are working together to get protestors to go home. (Tribal Facebook Page, ND Gove's office Press Releases)

NEWS: FOR IMMEDIATE RELEASE Contact: Mike Nowatzki
Feb. 2, 2017
701.328.2424

Burgum attends listening session with Cannon Ball residents

CANNON BALL, N.D. – Gov. Doug Burgum visited the community of Cannon Ball on Wednesday night to meet with and listen to local residents as they shared their concerns and discussed how the state and Standing Rock Sioux Tribe can work together on important issues to create hope for the future.

The governor met for more than three hours with about 70 residents, Cannon Ball District representatives, Standing Rock Tribal Council members and Chairman Dave Archambault II at the Cannon Ball Community Center.

Residents shared their concerns about the impacts of the ongoing Dakota Access Pipeline protests, explaining how they hosted people from all over the world but now their resources are stretched thin, they feel less safe and relationships with neighbors have become frayed. They also stressed the inconvenience, health concerns and economic hardship related to the closure of Highway 1806 between Cannon Ball and Bismarck-Mandan and their strong desire to see the Backwater Bridge reopened.

Gov. Burgum acknowledged the impacts and was pleased to hear residents reaffirm their desire to vacate and clean up the main protest camp before spring flooding in order to maintain public safety, avoid river contamination and ensure a safe environment, which is key to a phased reopening of the bridge. The governor also said he looks forward to working with the tribe on issues such as education and health care after the pipeline matter is resolved.

“We can’t change the past,” Burgum said, “but we can change the future by how we work together.”

Tribal elders said it was the first time they could recall a sitting North Dakota governor coming to meet with residents in Cannon Ball.

“Just listening and understanding shows that he is willing to work for all North Dakota citizens,” Archambault said. “I commend the governor and look forward to finding solutions with him.”

Tribal chairman decries Dakota Access protesters' new camp

- BLAKE NICHOLSON Associated Press
- 19 hrs ago

BISMARCK, N.D. | Dakota Access oil pipeline protesters who tried to set up a new camp on private land undermined the Standing Rock Sioux tribe's efforts to stop the $3.8 billion project, tribal Chairman Dave Archambault says.

Archambault in recent weeks has been pushing protesters to leave their flood-prone main encampment on federal land between the reservation and the pipeline route and asking that activism be spread

around the U.S. He said efforts by some to establish a camp Wednesday on nearby higher ground "do not represent the tribe."

Authorities arrested 74 protesters, including American Indian activist Chase Iron Eyes, after they set up teepees Wednesday on land owned by Texas-based pipeline developer Energy Transfer Partners. Protesters said they were peacefully assembling on land they believe rightfully belongs to American Indians. The Morton County Sheriff's Office initially reported 76 arrests but later said two were protesters accused of unrelated drug offenses.

The new camp site was west of the main encampment that for months has housed hundreds and sometimes thousands of people who support the tribe's position that the pipeline threatens their drinking water and Native American cultural sites. The pipeline would carry oil from North Dakota through the Dakotas and Iowa to a shipping point in Illinois. The route would go under Lake Oahe, a large reservoir along the Missouri River. Energy Transfer Partners disputes the tribe's arguments and says the pipeline will be safe.

A few hundred people still remain in the main camp, which is being cleaned up this week in advance of spring flooding that could carry any remaining refuse into the Missouri River. Archambault in recent weeks has called for the camp to disband, and late Wednesday he urged people who have left to stay away.

"In these past few weeks at camp, I see no reflection of our earlier unity, and without unity we lose," he said.

Iron Eyes, who made an unsuccessful bid for Congress last fall, remained jailed Thursday and unavailable for comment, a spokesman said. Iron Eyes told The Associated Press last week that he and others feel a need to "keep up the pressure" because "right now the will of the public is being expressed by a president that does not represent the majority in this country."

President Donald Trump last month called on the Army to reconsider its earlier decision to block the pipeline from being laid under Lake Oahe. It's the last big chunk of construction for the pipeline, and work has stalled while ETP battles the Army Corps of Engineers in court for permission to proceed.

Acting Army Secretary Robert Speer on Tuesday ordered a review of the Army's earlier decision not to grant permission until more study was done. It's unclear how long the review will take, but U.S. Sen. John Hoeven told the AP that after a conversation with Speer, he's certain permission will be granted soon.

"The fight is no longer here, but in the halls and courts of the federal government," Archambault said.

After Wednesday's arrests, law enforcement allowed people in the main camp to come to the new camp site and remove the teepees, which American Indians consider sacred.

From: Henderson, Pamela (CTR)
Sent: 31 Mar 2017 12:48:32 +0000
To: Garcia, Carol;Floyd, Megan
Subject: Standing Rock

Good Morning Ladies,

If you're interested this is video about the Standing Rock

Documentary regarding protests:
https://www.facebook.com/NetizensForProgress/videos/1868254373443542/

Pam Henderson
TRCA – CO-239 Analyst(CTR)
IEM, FEMA Region VIII
Denver Federal Center
Building 710 Room 113
Lakewood, CO 80227

Pamela.Henderson@associates.fema.dhs.gov

From: Floyd, Megan
Sent: 3 Feb 2017 22:10:08 +0000
To: FEMA-MOC-DENVER;Root, Michael
Cc: Depalo, Lee;Greff, Stacie;Dombrowski, Justin;Hudson, Lamont
Subject: Update regarding pipeline protests

Good Afternoon –

Below are some of the actives that happened this week regarding the protests near Standing Rock:

- The primary protest camp (Sacred Stone Camp) is being demolished. (Tribal Facebook Page)
- The Standing Rock Sioux Tribe has asked that protestors to go home. However, some protestors have tried to set up a new camp on private land which lead to 74 arrests this week. (Media)
- The State of North Dakota and the Standing Rock Sioux Tribe are working together to get protestors to go home. (Tribal Facebook Page, ND Gove's office Press Releases)

NEWS: FOR IMMEDIATE RELEASE
Feb. 2, 2017

Contact: Mike Nowatzki
701.328.2424

Burgum attends listening session with Cannon Ball residents

CANNON BALL, N.D. – Gov. Doug Burgum visited the community of Cannon Ball on Wednesday night to meet with and listen to local residents as they shared their concerns and discussed how the state and Standing Rock Sioux Tribe can work together on important issues to create hope for the future.

The governor met for more than three hours with about 70 residents, Cannon Ball District representatives, Standing Rock Tribal Council members and Chairman Dave Archambault II at the Cannon Ball Community Center.

Residents shared their concerns about the impacts of the ongoing Dakota Access Pipeline protests, explaining how they hosted people from all over the world but now their resources are stretched thin, they feel less safe and relationships with neighbors have become frayed. They also stressed the inconvenience, health concerns and economic hardship related to the closure of Highway 1806 between Cannon Ball and Bismarck-Mandan and their strong desire to see the Backwater Bridge reopened.

Gov. Burgum acknowledged the impacts and was pleased to hear residents reaffirm their desire to vacate and clean up the main protest camp before spring flooding in order to maintain public safety, avoid river contamination and ensure a safe environment, which is key to a phased reopening of the

bridge. The governor also said he looks forward to working with the tribe on issues such as education and health care after the pipeline matter is resolved.

“We can’t change the past,” Burgum said, “but we can change the future by how we work together.”

Tribal elders said it was the first time they could recall a sitting North Dakota governor coming to meet with residents in Cannon Ball.

“Just listening and understanding shows that he is willing to work for all North Dakota citizens,” Archambault said. “I commend the governor and look forward to finding solutions with him.”

Tribal chairman decries Dakota Access protesters' new camp

- BLAKE NICHOLSON Associated Press
- 19 hrs ago

BISMARCK, N.D. | Dakota Access oil pipeline protesters who tried to set up a new camp on private land undermined the Standing Rock Sioux tribe's efforts to stop the $3.8 billion project, tribal Chairman Dave Archambault says.

Archambault in recent weeks has been pushing protesters to leave their flood-prone main encampment on federal land between the reservation and the pipeline route and asking that activism be spread around the U.S. He said efforts by some to establish a camp Wednesday on nearby higher ground "do not represent the tribe."

Authorities arrested 74 protesters, including American Indian activist Chase Iron Eyes, after they set up teepees Wednesday on land owned by Texas-based pipeline developer Energy Transfer Partners. Protesters said they were peacefully assembling on land they believe rightfully belongs to American Indians. The Morton County Sheriff's Office initially reported 76 arrests but later said two were protesters accused of unrelated drug offenses.

The new camp site was west of the main encampment that for months has housed hundreds and sometimes thousands of people who support the tribe's position that the pipeline threatens their drinking water and Native American cultural sites. The pipeline would carry oil from North Dakota through the Dakotas and Iowa to a shipping point in Illinois. The route would go under Lake Oahe, a large reservoir along the Missouri River. Energy Transfer Partners disputes the tribe's arguments and says the pipeline will be safe.

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From: FEMA-MOC-DENVER
Sent: 7 Feb 2017 15:43:03 -0500
To: R8 FEMA SA Team;Root, Michael;Sterling, Stephen
Subject: USACE to Grant Easement for DAPL, 07 Feb 2017

All,

http://www.kfyrtv.com/content/news/Army-Corps-to-grant-easement-for-DAPL-under-Lake-Oahe-413068983.html

CANNON BALL, N.D. - The U.S. Army Corps of Engineers announced Tuesday they intend to grant an easement to Dakota Access to construct a pipeline under Corps-managed federal land at Lake Oahe.

The agency has also announced that it will not be preparing an Environmental Impact Statement.

Elizabeth Nakai
Operations Watch Officer
Denver MERS Operations Center &
FEMA Alternate Operations Center – West
800-311-7021

From: Nowatzki, Mike
Sent: 2 Feb 2017 18:51:39 +0000
To: Nowatzki, Mike
Subject: BURGUM ATTENDS LISTENING SESSION WITH CANNON BALL RESIDENTS
Attachments: Cannon Ball photo.jpg

State of North Dakota
Office of the Governor

Doug Burgum
Governor

NEWS: FOR IMMEDIATE RELEASE
Feb. 2, 2017

Contact: Mike Nowatzki
701.328.2424

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-###-

Attached photo: Gov. Doug Burgum listens as Cannon Ball District Representative Cody Two Bears talks about the community’s concerns during a meeting Wednesday night at the Cannon Ball Community Center.





From: Nowatzki, Mike
Sent: 1 Feb 2017 04:27:53 +0000
To: Nowatzki, Mike
Cc: Davis, Scott J.
Subject: BURGUM ISSUES STATEMENT ON DAKOTA ACCESS PIPELINE EASEMENT

State of
North Dakota
Office of the Governor

Doug Burgum
Governor

NEWS: FOR IMMEDIATE RELEASE
Jan. 31, 2017

Contact: Mike Nowatzki
701.328.2424

Burgum issues statement on Dakota Access Pipeline easement

BISMARCK, N.D. – Gov. Doug Burgum today issued the following statement on the easement sought for the Dakota Access Pipeline crossing at Lake Oahe.

"Although the Acting Secretary of the Army reiterated President Trump's call to proceed with the easement process, there still is no formal timeline for approval or issuance of the easement," Burgum said. "Regardless of the timing of the easement and any likely legal action to follow, it doesn't change the fact that we're one day closer to a potential life-threatening spring flood."

"While we look forward to the safe completion of the pipeline, we will continue to work collaboratively with all parties to vacate and clean up the main protest camp to avoid an ecological disaster and to honor the Standing Rock Sioux Tribe's wishes for protesters to leave the area," Burgum said. "Our top priority remains public safety, including the safety of residents of Morton and Sioux counties who have suffered hardship and disruption because of the protests."

-###-

Mike Nowatzki
Communications Director
Office of the Governor
Desk: (b)(6)
Cell: (b)(6)
(b)(6) @nd.gov
600 E. Boulevard Ave.
Bismarck, ND 58505

From: DeFelice, Jerome
Sent: 15 Feb 2017 10:33:20 -0500
To: Greff, Stacie;Dombrowski, Justin;Floyd, Megan;Garcia, Carol;Stephenson, James R
Subject: Clip: DAPL

Article by Bismarck AP reporter. Appeared in this morning's Denver Post and other outlets across the region. He's been doing these sort of updates periodically.

A guide to recent events in the Dakota Access pipeline battle

North Dakota says law enforcement response to pipeline protests has cost taxpayers $33 million so far.



Tom Stromme, The Bismarck Tribune

This aerial photo shows a site where the final phase of the Dakota Access Pipeline will take place with boring equipment routing the pipeline underground and across Lake Oahe to connect with the existing pipeline in Emmons County, Feb. 13, 2017, in Cannon Ball, N.D.

By The Associated Press

PUBLISHED: February 14, 2017 at 6:02 pm | UPDATED: February 14, 2017 at 6:31 pm

By Blake Nicholson, *The Associated Press*

BISMARCK, N.D. — The disputed four-state Dakota Access pipeline could be moving oil in as little as a month, though opponents are promising to continue fighting the project. Here's a look at recent developments, and what's to come:

How far along is construction of the Dakota Access pipeline?

Texas-based developer Energy Transfer Partners on Feb. 8 received approval from the Army to lay pipe under a Missouri River reservoir in North Dakota — the last remaining section of the 1,200-mile pipeline that would move North Dakota oil to Illinois. Drilling work at Lake Oahe began immediately. The development was prompted by President Donald Trump, who pushed the Army to advance construction.

ETP spokeswoman Vicki Granado initially said the pipeline would be operational within three months. However, company lawyer David Debold on Monday suggested it could be ready for oil in as little as 30 days. Granado credited the efficiency of the company's equipment and crews, but didn't elaborate.

What's the latest ruling in the court cases involving the Standing Rock and Cheyenne River Sioux?

The Standing Rock and Cheyenne River Sioux say the $3.8 billion pipeline threatens their drinking water, cultural sites and ability to practice their religion, which depends on pure water. They asked U.S. District Judge James Boasberg to temporarily halt construction at Lake Oahe until their legal challenges are resolved.

Boasberg on Monday refused, though he scheduled a Feb. 27 hearing on a request by Cheyenne River to force the Army to withdraw its permission for the lake crossing.

Tom Stromme, The Bismarck Tribune via AP, file

A section of the Dakota Access Pipeline under construction near the town of St. Anthony in Morton County, N.D., on June 29, 2016.

A Standing Rock attorney plans to ask Boasberg to rule on the tribe's claims before pipeline operations begin.

The Oglala and Yankton Sioux tribes in South Dakota have filed similar legal challenges, the Yankton tribe in September and the Oglala Sioux on Saturday.

In a separate lawsuit, pipeline opponents suing police for allegedly using excessive force are appealing a federal judge's recent ruling allowing authorities to continue using tactics such as tear gas and rubber bullets for crowd dispersal.

Are there still people protesting construction of the pipeline?

Law enforcement records show that such tactics haven't been used since Jan. 19, at a blockaded highway bridge in the area of a protest encampment on federal land in southern North Dakota. The camp has at times housed thousands of protesters who have often clashed with police. It's now home to only a few hundred people and is being cleaned up in advance of spring flooding and a Feb. 22 closing date set by the Army Corps of Engineers.

Many protesters don't plan to leave the area. Cheyenne River chairman Harold Frazier says that tribe is leasing about 25 acres on the Standing Rock Reservation for camps. American Indian activist Chase Iron Eyes also is encouraging a continued presence in the area.

Is the bridge that was damaged by fire open to traffic?

The bridge on U.S. 1806 has been closed since it was damaged by fires Oct. 28. Officials have been working in recent weeks to reopen it in the interest of easing tensions.

Guardrail repairs were completed Friday and temporary asphalt patching was finished Monday, at a total cost of about $10,000, according to Department of Transportation spokeswoman Jamie

Olson. However, it won't be reopened until authorities determine tensions have eased enough to warrant it, said Morton County sheriff's spokesman Rob Keller.

The Transportation Department on Monday did reopen 8 miles of an 18-mile closed stretch of the highway, "allowing farmers, ranchers, people who have business down there to have more freedom of travel," Keller said.

What's the price tag for law enforcement related to the Dakota Access pipeline protest?

Law enforcement continues to maintain a heavy presence in the area despite the fading of protests.

New figures from the state show the law enforcement response over the past half-year has involved officers from 10 states, resulted in 705 arrests and cost taxpayers $33 million — $25 million for officer pay, $3.6 million for travel and lodging, and $4.3 million for equipment and supplies.

The data show that 92 percent of the 660 people who have been arrested are not from North Dakota.

Jerry DeFelice
External Affairs
FEMA Region VIII, Denver
303-235-4948
303-941-5088 cell
Jerome.DeFelice@fema.dhs.gov



From: DeFelice, Jerome
Sent: 17 Mar 2017 10:59:47 -0400
To: Greff, Stacie;Dombrowski, Justin;Floyd, Megan;Garcia, Carol
Subject: Clip: DAPL

I'll include in the clips but wanted to make sure you saw this…

US taxpayers might be on the hook for pipeline protest costs

- By BLAKE NICHOLSON Associated Press
- Mar 16, 2017 Updated 19 hrs ago
-

BISMARCK, N.D. (AP) — North Dakota officials appear poised to go after the U.S. government — and thus U.S. taxpayers — to recoup more than $38 million in state expenses related to months of protests against the Dakota Access pipeline, though a longstanding offer from the project's developer to pay up is still on the table.

One taxpayer watchdog group questions why the state isn't jumping at the offer from Dallas-based Energy Transfer Partners, a company worth billions of dollars.

"You take the money when you can get it," said Dustin Gawrylow, managing director of the North Dakota Watchdog Network, which keeps tabs on how public money is spent.

The matter might not be that simple. Common Cause, a nonpartisan group that promotes government accountability, says accepting money from a private-sector business in an industry it regulates would present the state with an ethical dilemma.

Pipeline opponents have long accused the state of being too cozy with ETP, and if the state takes the company's money "it certainly would lend credence to those arguments," said Joye Braun, a protest leader.

"For Energy Transfer to offer a donation, basically that's paying off the state for using state resources as personal security," she said.

Gawrylow said ETP's offer, while it would help the state, might be more marketing than generosity.

"They're not spending it out of the goodness of their heart. They're spending it to build goodwill in North Dakota" after months of upheaval, he said.

Work is wrapping up on the $3.8 billion pipeline to move North Dakota oil 1,200 miles to a shipping point in Illinois, and oil could be flowing as early as Monday despite an ongoing legal challenge by Sioux tribes who fear the project could affect their water supply — a claim ETP rejects.

The saga has endured for months, with hundreds and sometimes thousands of pipeline opponents camping on federal land near the drill site and often clashing with police. About 750 arrests were made between early August and late February, when camps on property managed by the Corps were shut down in advance of spring flooding season.

State officials have not been clear on why they haven't accepted ETP's offer, first made in the fall.

"The governor hasn't said whether the state will or won't seek reimbursement from ETP, only that all options are on the table," Mike Nowatzki, spokesman for Republican Gov. Doug Burgum, said.

State Budget Director Pam Sharp told The Associated Press that nothing in state law would prevent North Dakota from accepting such a donation, and that it's happened before, though not in such a sizable amount. For example, smaller private donations have been made to the state-operated North Dakota Veterans Home, she said.

Both Nowatzki and ETP spokeswoman Vicki Granado said they weren't aware of any discussions between state officials and ETP. But, Nowatzki said, "the governor's office has been in discussions with both the U.S. Army Corps of Engineers and White House officials to emphasize the state's position that federal reimbursement is warranted."

U.S. Sen. John Hoeven, a Republican from North Dakota, said his office also is working to get the Corps to reimburse protest-related state costs.

State Attorney General Wayne Stenehjem has publicly broached the idea of suing the federal government. He didn't respond to requests for comment.

The state Emergency Commission late last year approved borrowing $17 million to cover the costs, and the first bill Burgum signed as governor after taking office in January authorized an additional $8 million. But the cost has surpassed the approved total by $13 million, and officials plan to ask the Legislature for more money, state Emergency Services spokeswoman Cecily Fong said.

"I would be very surprised if the Legislature does not cover the full cost," said Republican state Rep. Jeff Delzer, chairman of the House Appropriations Committee.

Nowatzki said Burgum's chief concern "is ensuring that North Dakota taxpayers alone don't foot the bill."

Accepting money from ETP would be a risky way of doing that, according to Paul S. Ryan, vice president of litigation and public policy for Common Cause.

"One would reasonably question whether the state could in an unbiased way regulate ETP if it is receiving tens of millions of dollars in cold hard cash from ETP," he said.

___

From: Welch, Randy
Sent: 9 Feb 2017 16:09:35 +0000
To: Krikava, Richard;Floyd, Megan
Cc: Block, Michelle;Hunter, Cynthia
Subject: RE: Indian Affairs Committee

Yes, Megan and Carol watched the whole hearing. I caught part of it.

Thanks for the heads-up on the Montana mention, AND on Sophie's compliments.

Any thoughts on how to get Sophie going to you guys vs. reaching out to the regional tribal folks? Or are you not real concerned about that? I like having the in-depth multiple relationships between staffers and FEMA, but it seems to me we want her at least including the congressional liaisons. Megan shares the information with us totally, so that's not a problem.

Randy Welch
FEMA Region VIII External Affairs
(303) 235-4619

From: Krikava, Richard
Sent: Thursday, February 09, 2017 6:36 AM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>; Welch, Randy <Randy.Welch@fema.dhs.gov>
Cc: Block, Michelle <michelle.block@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

Team 8:

Don't know if you caught any of the hearing yesterday, but Tester mentioned the 5 feet of snow that fell on the Blackfeet Nation the other day, and cautioned FEMA witnesses that with 5 feet of snow, wind, and likely warming temperatures, "you all will likely be getting some calls soon for assistance." (Or, something to that effect.)

Thanks for all your help in gathering intel. Very much appreciated.

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov



From: Floyd, Megan
Sent: Wednesday, February 01, 2017 12:52 PM
To: Krikava, Richard <Richard.Krikava@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

Yes it is.

From: Krikava, Richard
Sent: Wednesday, February 01, 2017 10:52 AM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

The gift that keeps on giving!

Thanks,

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov



From: Floyd, Megan
Sent: Wednesday, February 01, 2017 12:51 PM
To: Krikava, Richard <Richard.Krikava@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

2017

From: Krikava, Richard
Sent: Wednesday, February 01, 2017 10:50 AM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

Thanks, again, Megan, for the information below.

I've highlighted in yellow a point I need clarification on. Do you mean mid-January 2017 or 2016?

Thanks again!

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov



From: Floyd, Megan
Sent: Wednesday, February 01, 2017 10:26 AM
To: Krikava, Richard <Richard.Krikava@fema.dhs.gov>
Cc: Trytten, Dana <Dana.Trytten@fema.dhs.gov>; Booth, Milo <milo.booth@fema.dhs.gov>; Nelson, Jason <Jason.Nelson2@fema.dhs.gov>; Cirillo, Laura <laura.cirillo@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>; Welch, Randy <Randy.Welch@fema.dhs.gov>; Hunter, Cynthia <Cynthia.Hunter@fema.dhs.gov>; Stephenson, James R <James.Stephenson@fema.dhs.gov>; Garcia, Carol <carol.garcia@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

Richard,

Below is our background information on tribal issues and possible FEMA issues for the five Senators from our region who are on the Indian Affairs committee. I am sending because Randy is out this morning. Let us know if you need anything else.

Megan Floyd
FEMA Region VIII
(303) 235-4638 Desk
(303) 945-6367 Cell

megan.floyd@fema.dhs.gov

Tribal Issues:

1) Standing Rock: Dakota Access Pipeline Protests - There have been no official requests for FEMA assistance from the tribe or the state

   Background: On April 1, 2016, people began to gather and protest the construction of the Dakota Access Pipeline just north of the Standing Rock Reservation border. Protest crowds were estimated at over 10,000 (*NY Times*) during their peak. Since December 2016, when the Army Corps of Engineers did not approve the easement necessary to permit the pipeline to cross under Lake Oahe, the numbers at the protest camps have fallen to around 500 (+/-). Due to the significant crowd size, North Dakota provided additional law enforcement resulting in substantial costs to the state Office of Homeland Security. In October, the State of North Dakota started to talk about using the Emergency Management Assistance Compact (EMAC) to support the law enforcement efforts. Ultimately other states did provide support to the state. In late September, Senator Hoeven spoke with former Administer Fugate regarding the need to provide financial assistance to the state to support law enforcement. North Dakota has not made any official requests of FEMA for assistance. The Standing Rock Sioux Tribe has not reached out to FEMA for assistance either. At this time, both the Standing Rock Sioux Tribe and the State of North Dakota have called on protestors to leave the protest site and return home based on concerns for spring flooding and the impacts of the protest camp on the local community. FEMA is not engaged on the issue beyond passive monitoring. See most recent news article quoting Senator Hoeven below. Note the situation remains in flux.

2) Rocky Boy's: Office of the Inspector General (OIG) Audit

   In 2010, the Chippewa Cree of the Rocky Boy's Reservation was a direct grantee for DR-1922. Following the event, numerous issues have arisen with the misuse of FEMA funding, as well as other federal grant funds. The Montana U.S. Attorney's office has prosecuted several tribal members, officials and contractors. THE DHS OIG also has been involved with audits of FEMA's Public Assistance grants to the tribe for several years. In mid-January, the region received notice that the OIG will conduct another audit related to funds provided to the tribe for the health clinic that was destroyed during the disaster.

3) Emergency Management Performance Grant Program (EMPG): Funds are not available directly to tribal governments

   Tribes across Region VIII have been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their emergency management programs and in some cases some funds trickle down to tribes; however, the tribes do not have direct access to these funds. The tribes in Region VIII have expressed concerns about the requirements for receiving a direct Presidential Emergency or Major Disaster declaration because they do not have access to grant program funds to support the development of their emergency management programs and internal capacity.

Additional BIA officers to be dispatched to ND to assist with DAPL protests

KFYR-TV, Bismarck
Posted: Fri 5:00 PM, Jan 27, 2017 |
Updated: Fri 5:02 PM, Jan 27, 2017

WASHINGTON, D.C. - Senator John Hoeven announced Friday the Bureau of Indian Affairs has dispatched 20 additional officers to North Dakota to help state and local law enforcement at the Dakota Access Pipeline protest sites.

This will bring the total number of BIA officers at the site to 40.

"We're working to get more federal law enforcement assistance to work with state and local law enforcement officers. The BIA has committed to provide an additional 20 officers, who should be there this weekend. In addition, we're working with both the Department of Homeland Security and the Department of Justice to provide additional resources as well," Hoeven said.

Member backgrounds:

John Hoeven, Member - Chairman (ND): Senator Hoeven knows FEMA well from disasters during his ten years as governor (2000-2010) plus now being in his seventh year as Senator, including heading oversight of DHS funding on Homeland Security. He has several FEMA-related concerns.

- His prime issue at present is likely to be the Dakota Access Pipeline project. He was a sponsor of legislation supporting the Keystone XL pipeline before the current situation with the Dakota Access Pipeline, and he recently got the BIA to commit law enforcement officers to help the state's law enforcement at the protest site (which is on land leased to the U.S. Army Corps of Engineers).
- A huge overarching concern for him is furthering the Fargo diversion project and the Minot flood protection system. Fargo is the state's largest city, and Minot is Senator Hoeven's hometown (which flooded badly in 2011). The Fargo-Moorhead Diversion is a proposed project to have the US Army Corps of Engineers built storage capacity and a diversion channel around Fargo for flood protection. It is a long-standing issue with a great deal of political interest. A number of parties have voiced opposition to the project, including areas south of Fargo and the State of Minnesota. An issue related to both flood control measures is how these projects can work in coordination with flood insurance requirements and premium increases in both communities. Sen. Hoeven has been vocal in his assurances that FEMA will make every effort to support this effort. The draft of a new Minot flood map should be out in a few months, and it will likely show that 5,000+ could be in the new floodplain, an "economic disaster" according to local officials. R8 has been in regular communication with the local floodplain administrator to help advise how the community can minimize premium increases until flood protection is in place, a prospect that is years away even by the most optimistic projections.
- Senator Hoeven has been instrumental in preserving a "basement exception" for certain homes in the Fargo area and 14 other jurisdictions in North Dakota – an issue that was raised to HQ FIMA. The homes in question were specially constructed to provide high-standard basement floodproofing. The "exception" allows these homes to be rated for insurance purposes as if the basement didn't exist, resulting in significantly lower premiums. The city has expressed concern about how the new NFIP legislation might impact the basement exception, as well as how the new flood maps might impact it.
- He will also be concerned about potential flooding in North Dakota this spring. The state's snowpack is running higher than normal, reminiscent of previous flood years. The snowpack is

particularly high around Devils Lake, a large closed-basin system (second only to Great Salt Lake) that has been in a 30-year wet cycle, hemmed in largely by a levee and roads that have been raised again and again, largely with FEMA funds.

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From: Welch, Randy
Sent: 28 Feb 2017 00:07:50 +0000
To: R8 External Affairs
Cc: Green, Daniel
Subject: report on SD deployment

Daniel put together the following summary of our deployment to South Dakota.

Almost all seems well on the South Dakota front. Sending this just FYI.

Randy Welch
FEMA Region VIII External Affairs
(303) 235-4619

Randy Welch and Daniel Green were deployed to Pierre, SD in support of DR-4298-SD from 13-17 February 2017. Tribal Relations Specialist Carol Garcia was in South Dakota from 15-17 February 2017, visiting the Cheyenne River Sioux and Oglala Sioux Tribes. In addition to providing support to state counterparts, the deployment also offered the opportunity to meet with Congressional offices in the eastern half of the state.
The following are key takeaways from the DR-4298-SD deployments:

- Carol's visits with the tribes included in the original declaration went well, and the tribes indicated they planned to file their RPAs in timely fashion, which was a concern the state had raised.
- Staffers in Congressional offices in Pierre, Watertown, Aberdeen and Sioux Falls reported that there were occasional constituent concerns regarding flood maps, but that nothing appeared to necessitate immediate response by FEMA.
- Congressional staffers in Pierre reported population in the area held FEMA in high regard; however, the Army Corps of Engineers was viewed by many citizens in the area as the principle cause of the 2011 floods.
- Congressional staffers in Sioux Falls said that the long presence of FEMA in Hot Springs, with DHS logos on trucks, had given rise to conspiratorial worries about what might be happening. The Rounds staffer said, "I told them it's just Brian."
- North Dakota's EMAC request to South Dakota for state troopers due to the Dakota Access pipeline protests has caused a serious chill in relations between tribes and Pierre. Whereas before the request the tribal nations were working with the South Dakota Highway Patrol to increase the state patrol's law enforcement capabilities on the reservations, that potential relationship between the tribes and state law enforcement has now been severed.
- Courtnee Spino, the PA specialist working with the Cheyenne River Sioux and Oglala Sioux Tribes, has reported that their respective RPAs have in fact been filed with the state.

From: Welch, Randy
Sent: 1 Feb 2017 00:49:13 +0000
To: Greff, Stacie
Cc: Dombrowski, Justin;Floyd, Megan;Hunter, Cynthia;Welch, Randy
Subject: draft of memo to Krikava re Indian Affairs Committee

Stacie – I'll be out at the eye doc till 9:30/10 Wednesday. Below is what I have put together to send to Richard Krikava, Dana Trytten and Milo Booth – plus copy to Jason and Laura Cirillo, I suppose. Probably way more than he needed. In the draft below, I included the graph about Riverton, which I think they should be alerted to.

If it is good to go, do you or Megan or Cynthia want to forward it? Or wait till I come in mid-morning?

Randy

P.S. An alternative, shorter version about Riverton would be:

> There is an emerging issue about whether the city of Riverton actually belongs to the Wind River Indian Reservation, an argument the tribe has raised in the past. Three federal agencies, led by the EPA, are saying this is indeed the case. The governor has appealed the EPA's determination.

Richard,

Below is our background information on tribal issues and possible FEMA issues for the five Senators from our region who are on the Indian Affairs committee.

Randy Welch
FEMA Region VIII External Affairs
(303) 235-4619

<u>Tribal Issues:</u>

1) Standing Rock: Dakota Access Pipeline Protests - There have been no official requests for FEMA assistance from the tribe or the state

   Background: On April 1, 2016, people began to gather and protest the construction of the Dakota Access Pipeline just north of the Standing Rock Reservation border. Protest crowds were estimated at over 10,000 (*NY Times*) during their peak. Since December 2016, when the Army Corps of Engineers did not approve the easement necessary to permit the pipeline to cross under Lake Oahe, the numbers at the protest camps have fallen to around 500 (+/-). Due to the significant crowd size, North Dakota provided additional law enforcement resulting in substantial costs to the state Office of Homeland Security. In October, the State of North Dakota started to talk about using the Emergency Management Assistance Compact (EMAC) to support the law enforcement efforts. Ultimately other states did provide support to the state. In late September, Senator Hoeven spoke with former Administer Fugate regarding the need to provide financial assistance to the state to support law enforcement. North Dakota has not

made any official requests of FEMA for assistance. The Standing Rock Sioux Tribe has not reached out to FEMA for assistance either. At this time, both the Standing Rock Sioux Tribe and the State of North Dakota have called on protestors to leave the protest site and return home based on concerns for spring flooding and the impacts of the protest camp on the local community. FEMA is not engaged on the issue beyond passive monitoring. See most recent news article quoting Senator Hoeven below. Note the situation remains in flux.

2) Rocky Boy's: Office of the Inspector General (OIG) Audit

In 2010, the Chippewa Cree of the Rocky Boy's Reservation was a direct grantee for DR-1922. Following the event, numerous issues have arisen with the misuse of FEMA funding, as well as other federal grant funds. The Montana U.S. Attorney's office has prosecuted several tribal members, officials and contractors. THE DHS OIG also has been involved with audits of FEMA's Public Assistance grants to the tribe for several years. In mid-January, the region received notice that the OIG will conduct another audit related to funds provided to the tribe for the health clinic that was destroyed during the disaster.

3) Emergency Management Performance Grant Program (EMPG): Funds are not available directly to tribal governments

Tribes across Region VIII have been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their emergency management programs and in some cases some funds trickle down to tribes; however, the tribes do not have direct access to these funds. The tribes in Region VIII have expressed concerns about the requirements for receiving a direct Presidential Emergency or Major Disaster declaration because they do not have access to grant program funds to support the development of their emergency management programs and internal capacity.

Additional BIA officers to be dispatched to ND to assist with DAPL protests

KFYR-TV, Bismarck
Posted: Fri 5:00 PM, Jan 27, 2017 |
Updated: Fri 5:02 PM, Jan 27, 2017

WASHINGTON, D.C. - Senator John Hoeven announced Friday the Bureau of Indian Affairs has dispatched 20 additional officers to North Dakota to help state and local law enforcement at the Dakota Access Pipeline protest sites.

This will bring the total number of BIA officers at the site to 40.

"We're working to get more federal law enforcement assistance to work with state and local law enforcement officers. The BIA has committed to provide an additional 20 officers, who should be there this weekend. In addition, we're working with both the Department of Homeland Security and the Department of Justice to provide additional resources as well," Hoeven said.

4) There is also a legal dispute pending before the 10th Circuit Court of Appeals in Denver about whether the city of Riverton is legally still part of the Wind River Indian Reservation. The dispute stems from a ruling by the Department of Interior, in response to a question by the EPA about what the tribal boundaries were. An Interior lawyer said the sale of some plots of land in the early 1900s did not change the boundaries of the reservation. The state has sued over the issue.

A recent article in the *Casper Star-Tribune* said the ruling might not make much practical difference to Riverton, but, "If land that Indian nations agreed to let the federal government sell to non-Indians is still subject to tribal sovereignty, that could have far-reaching implications around the country."

Member backgrounds:

John Hoeven, Member - Chairman (ND): Senator Hoeven knows FEMA well from disasters during his ten years as governor (2000-2010) plus now being in his seventh year as Senator, including heading oversight of DHS funding on Homeland Security. He has several FEMA-related concerns.

- His prime issue at present is likely to be the Dakota Access Pipeline project. He was a sponsor of legislation supporting the Keystone XL pipeline before the current situation with the Dakota Access Pipeline, and he recently got the BIA to commit law enforcement officers to help the state's law enforcement at the protest site (which is on land leased to the U.S. Army Corps of Engineers).
- A huge overarching concern for him is furthering the Fargo diversion project and the Minot flood protection system. Fargo is the state's largest city, and Minot is Senator Hoeven's hometown (which flooded badly in 2011). The Fargo-Moorhead Diversion is a proposed project to have the US Army Corps of Engineers built storage capacity and a diversion channel around Fargo for flood protection. It is a long-standing issue with a great deal of political interest. A number of parties have voiced opposition to the project, including areas south of Fargo and the State of Minnesota. An issue related to both flood control measures is how these projects can work in coordination with flood insurance requirements and premium increases in both communities. Sen. Hoeven has been vocal in his assurances that FEMA will make every effort to support this effort. The draft of a new Minot flood map should be out in a few months, and it will likely show that 5,000+ could be in the new floodplain, an "economic disaster" according to local officials. R8 has been in regular communication with the local floodplain administrator to help advise how the community can minimize premium increases until flood protection is in place, a prospect that is years away even by the most optimistic projections.
- Senator Hoeven has been instrumental in preserving a "basement exception" for certain homes in the Fargo area and 14 other jurisdictions in North Dakota – an issue that was raised to HQ FIMA. The homes in question were specially constructed to provide high-standard basement floodproofing. The "exception" allows these homes to be rated for insurance purposes as if the basement didn't exist, resulting in significantly lower premiums. The city has expressed concern about how the new NFIP legislation might impact the basement exception, as well as how the new flood maps might impact it.
- He will also be concerned about potential flooding in North Dakota this spring. The state's snowpack is running higher than normal, reminiscent of previous flood years. The snowpack is particularly high around Devils Lake, a large closed-basin system (second only to Great Salt Lake) that has been in a 30-year wet cycle, hemmed in largely by a levee and roads that have been raised again and again, largely with FEMA funds.

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From: Welch, Randy
Sent: 1 Feb 2017 00:39:32 +0000
To: Floyd, Megan;Greff, Stacie;Dick, Jennifer;Dombrowski, Justin
Cc: Welch, Randy
Subject: FW: Region VIII Tribal input for Senate Indian Affairs Committee hearing

We should also mention the Riverton issue.

Can I add this?

There is also a legal dispute pending before the 10th Circuit Court of Appeals in Denver about whether the city of Riverton is legally still part of the Wind River Indian Reservation. The dispute stems from a ruling by the Department of Interior, in response to a question by the EPA about what the tribal boundaries were. An Interior lawyer said the sale of some plots of land in the early 1900s did not change the boundaries of the reservation. The state has sued over the issue. A recent article in the *Casper Star-Tribune* said the ruling might not make much practical difference to Riverton, but, "If land that Indian nations agreed to let the federal government sell to non-Indians is still subject to tribal sovereignty, that could have far-reaching implications around the country."

Randy Welch
FEMA Region VIII External Affairs
(303) 235-4619

From: Floyd, Megan
Sent: Tuesday, January 31, 2017 4:47 PM
To: Welch, Randy <Randy.Welch@fema.dhs.gov>
Cc: Garcia, Carol <carol.garcia@fema.dhs.gov>; Stephenson, James R <James.Stephenson@fema.dhs.gov>
Subject: Region VIII Tribal input for Senate Indian Affairs Committee hearing

Randy –

Below are the hot issues related to tribal that could come up. They have been approved by Justin, Stacie and Jen. We are all set to submit.

Thanks

Megan

1) Standing Rock: Dakota Access Pipeline Protests - There have been no official requests for FEMA assistance from the Tribe or the State

   Background: On April 1, 2016, people began to gather and protest the construction of the Dakota Access Pipeline just north of the Standing Rock Reservation border. Protest crowds were estimated at over 10,000 (NYTimes) during their peak. Since December 2016, when the

Army Corps of Engineers did not approve the easement necessary to permit the pipeline to cross under Lake Oahe, the numbers at the protest camps have fallen to around 500 (+/-). Due to the significant crowd size, North Dakota provided additional law enforcement resulting in substantial costs to the State office of Homeland Security. In October, the State of North Dakota started to talk about Emergency Management Assistance Compact (EMAC) to support the law enforcement efforts. Ultimately other states did provide support to the State. In late September, Senator Hoeven spoke with former Administer Fugate regarding the need to provide financial assistance to the State to support law enforcement. The State has not made any official requests of FEMA for assistance. The Standing Rock Sioux Tribe has not reached out to FEMA for assistance either. At this time, both the Standing Rock Sioux Tribe and the State of North Dakota have called on protestors to leave the protest site and return home based on concerns for spring flooding and the impacts of the protest camp on the local community. FEMA is not engaged on the issue beyond passive monitoring. See most recent news article quoting Senator Hoeven below.

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addition, we're working with both the Department of Homeland Security and the Department of Justice to provide additional resources as well," Hoeven said.

From: Krikava, Richard
Sent: Thursday, January 26, 2017 3:17:58 PM
To: Norris, Rachael; Deshong, Casey; Hunter, Cynthia; Cappannari, Michael L; Shulman, Dan; Golding, Noah; Rigby, Corey; Murphy, Kendall; Alvarado, Diego
Cc: Trytten, Dana; Booth, Milo
Subject: Senate Indian Affairs Committee

Team:

As you may have heard, we've got a hearing coming up in the Senate Indian Affairs Committee on Feb. 8. In an effort to prepare our witness for questions that may be lobbed at him, could you please take a look at the list of Senators below, and let me know if there are any boogeyman issues related to FEMA out there that might flare up in the hearing (related to Indian Country or otherwise)?

I'm just looking for a few lines on the issues that might be out there, and if we need to dig in deeper, we can go from there.

Something by COB Tuesday, Jan. 31?

Thanks, and call me if you have any questions. (Also, I'm sure our Tribal Branch here at HQ are pinging your Regional Tribal Liaisons, too.)

REPUBLICANS

John Hoeven, Member - Chairman (ND)
John Barrasso, Member (WY)
John McCain, Member (AZ)
Lisa Murkowski, Member (AK)
James Lankford, Member (OK)
Steve Daines, Member (MT)
Michael Crapo, Member (ID)
Jerry Moran, Member (KS)

DEMOCRATS

Tom Udall, Member - Vice Chairman (NM)
John Tester, Member (MT)
Maria Cantwell, Member (WA)
Al Franken, Member (MN)
Brian Schatz, Member (HI)
Heidi Heitkamp, Member (ND)
Catherine Cortez Masto, Member (NV)

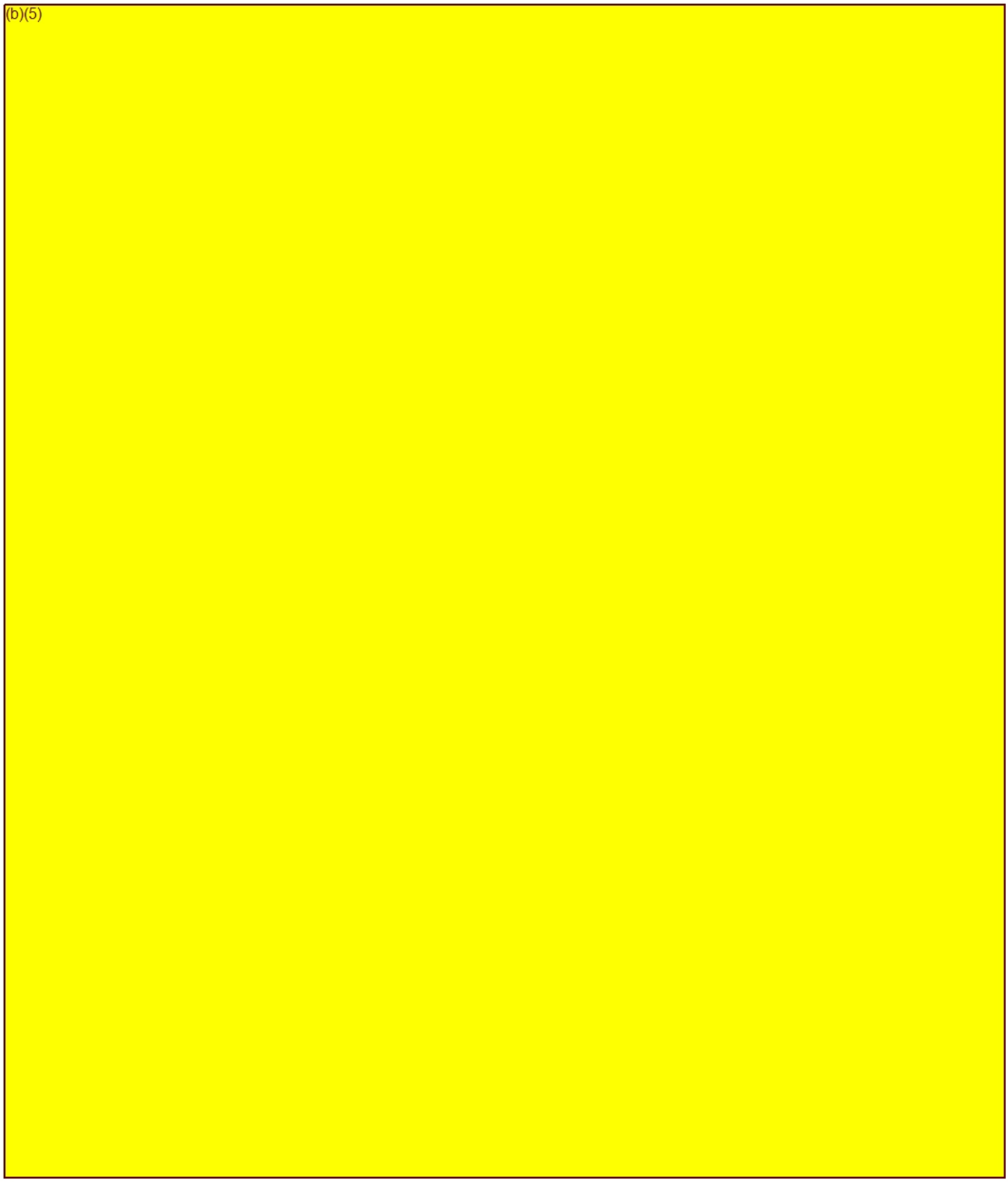
Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov



From: Welch, Randy
Sent: 22 Feb 2017 20:07:09 +0000
To: Hunter, Cynthia
Subject: RE: Review Request: EXCO Document for North Dakota

(b)(5)

(b)(5)



Randy Welch
FEMA Region VIII External Affairs

(303) 235-4619

From: Hunter, Cynthia
Sent: Wednesday, February 22, 2017 12:18 PM
To: Welch, Randy <Randy.Welch@fema.dhs.gov>
Cc: Hunter, Cynthia <Cynthia.Hunter@fema.dhs.gov>
Subject: Review Request: EXCO Document for North Dakota
Importance: High

Thanks so much!!!!

From: Welch, Randy
Sent: 21 Mar 2017 16:41:12 +0000
To: R8 All Hands
Cc: (b)(6)
(b)(6)@state.co.us';(b)(6)@state.co.us';(b)(6)@mail.mil';(b)(6)
(b)(6)@mail.mil';(b)(6)@nd.gov';(b)(6)@state.sd.us';(b)(6)@state.sd.us';(b)(6)
(b)(6)@utah.gov'(b)(6)@wyo.gov';(b)(6)@acf.hhs.gov';(b)(6)@usace.army.mi
l';(b)(6)@usace.army.mil';(b)(6)@state.mn.us';'Peterson, Mark J';''Pinheiro, Ronald
(HHS/ASPR/OPEO)'
(b)(6)@hhs.gov)';(b)(6)@hhs.gov'(b)(6)@hhs.gov';(b)(6)@sba
.gov';(b)(6)@sba.gov';'Nelson, Jason';(b)(6)@fs.fed.us';'Alexander,
Daniel';(b)(6)@atf.gov';(b)(6)@aveshka.com';Carlson-Sherbo, Diana
Bcc:
(b)(6)@gmail.com';(b)(6)@bresnan.net';(b)(6)@aol.com';(b)(6)@hotmail.com';
(b)(6)@msn.com'(b)(6)@aol.com';(b)(6)@commspeed.net';(b)(6)@lapisarts.com';(b)(6)
(b)@hotmail.com';(b)(6)@yahoo.com'(b)(6)@charter.net'(b)(6)@hotmail.com'(b)(6)@m
e.com';(b)(6)@gmail.com';Sturner,
Barb;(b)(6)@yahoo.com';'(b)(6)@hotmail.com';(b)(6)@yahoo.com';(b)(6)
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(b)(6)@bvsd.org';Red Feather, Glenda;(b)(6)@gmail.com';(b)(6)@gmail.com';Stephens,
Holly;Castel, Joseph-Richard;Bonza, Dale;Coley, Robert
Subject: FEMA Region 8 clips for Tuesday 3-21-17
Attachments: R8 Clips 03-21-17.docx

Region VIII Clips
Tuesday, March 21, 2017

ANALYSIS

- *Colorado:* Cooler weather in the state may start Tuesday, with moisture in the Denver metro area starting Thursday, reducing fire danger… The *Denver Post* ran a story on preventing human-caused fires… Evacuees from the Sunshine Fire have been allowed to return home. Reuters also had a story on evacuees returning (and it was mentioned on CBS News). ... The record dry March has prompted fire bans… Costs to rebuild the Arkansas River Levee in Pueblo "to FEMA standards" continue to rise, prompting a tax increase… The warm weather has led to record March flows on the Elk River.
- *Montana:* The *Billings Gazette* reported on localized flooding in northeastern Montana. The situation was expected to improve… Lolo Pass hot springs has been lost to floodwaters.
- *North Dakota:* State Insurance Commissioner Jon Godfread urges residents to get flood insurance now. The story notes that NE North Dakota currently faces the highest flood threat of anywhere in the U.S…. WDAZ TV also cited the insurance commissioner's call, but used a local insurance agent for more comment… The company building the Dakota Access Pipeline says oil will begin flowing between Monday and Wednesday this week despite "coordinated physical attacks" on the line. No more details were given about the attacks. One group of activist opponents to the pipeline denied any involvement in the attacks.

- *South Dakota:* … A massive experiment planned to capture neutrinos could result in the largest project ever built in the state – largely underground in Lead.
- *Utah:* No FEMA-related stories
- *Wyoming:* A story by Wyoming Public Radio on potential flooding includes comments from FEMA NFIP specialist Diana Herrera. … A landslide temporarily closed a section of Hwy. 89 in the Snake River Canyon… There was a wildfire in the Tongue River Canyon.
- *Other FEMA-related stories:* Reuters carried a story on the proposed cuts to the NFIP mapping budget… *USA Today* ran a story on the extraordinary record of wildfires already this year.

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You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

Trump's cut to flood map program could trigger insurance rate hikes: group (Reuters)

U.S. Sees Furious Start To The Wildfire Season (USA Today)

STORIES

COLORADO:

Don't put away your snow shovel just yet, Denver (Denver Post)

Wet, cooler weather in the Front Range forecast; could dampen fire dangers

By Kieran Nicholson | knicholson@denverpost.com | The Denver Post
PUBLISHED: March 20, 2017 at 5:37 pm | UPDATED: March 21, 2017 at 7:38 am
Don't put your snow shovel away just yet, Denver.
After weeks of dry and sometimes unseasonably warm weather, including record-setting high temperatures, much-needed moisture is in the forecast for northeastern Colorado, with a chance of rain in Denver starting Thursday afternoon and possibly changing to snow overnight.
March is typically Denver's snowiest month, but the city has seen just a trace of snow so far this month.
"It would definitely be a big help," said Jim Kalina, a meteorologist with the National Weather Service, of the cool, wet forecast. "It would be a big boost this time of year."
A high pressure ridge locked over Colorado is weakening, which will allow moisture and cooler weather to flow into the state starting Tuesday in the mountains, where there will be a chance of rain and snow, with the snow line at about 10,000-feet in elevation, according to the weather service. Snow accumulations in the mountains on Tuesday, however, should be "minor."
Also on Tuesday, there's a slight chance of rain showers over the eastern plains.
On Wednesday, warm, dry and breezy conditions in northeastern Colorado will once againelevate fire dangers in the foothills and on the plains, the weather service reports.
Relief for severely parched northeastern Colorado comes into play Thursday into Friday as a storm system tracks slowly across the state.
"We are looking right now for Thursday night into Friday, we have a good chance of some rain and maybe even a little bit of snow mixed into that," for the Denver forecast, Kalina said. Denver could see between one-quarter inch up to 1-inch of moisture from the upcoming storm system.
"Depending on the track of the storm, we have the potential to get some good moisture with this," Kalina said.
Some mountain areas along with the higher foothills could see several inches of snow as moderate to heavy rains fall across the plains. At lower elevations, areas south of Denver to the Palmer Divide could see heavier amounts.
Dry and warmer weather should return to northeastern Colorado on Saturday, but a few more waves of moisture could be developing for Sunday and Monday night into next Tuesday.
"We're in a pattern where we may see a few more storm systems coming across," Kalina said. "I don't see much of a problem with that."

It's already dangerously dry in Colorado. Here are 7 ways humans caused wildfires without meaning to. (Denver Post)

From cigarette butts to a flaming love letter, wildfires can easily ignite in Colorado

http://www.denverpost.com/2017/03/20/dry-weather-colorado-human-caused-wildfires/ - good video as part of this story

By Jesse Paul | jpaul@denverpost.com | The Denver Post
PUBLISHED: March 20, 2017 at 1:58 pm | UPDATED: March 20, 2017 at 4:36 pm
The past few months have been among the warmest and driest on record and in recent memory, leaving tinder-dry conditions in Colorado ripe for fast-moving and large wildfires.
As of Monday, the National Weather Service in Boulder had issued 17 red-flag warnings for fire danger since Jan. 1 — 11 of them in the first 20 days of March alone.
"March is one of our snowiest months, normally, with about an average of 11.2 inches of snow in Denver," said Natalie Sullivan, a meteorologist with the weather service's office in Boulder. "We haven't received any snow this month. We are definitely having warm, dry conditions and wind as well."
While the danger of wildfires exists year round in Colorado, officials say the public needs to be more aware than ever during this dry spell. Fire bans have been enacted across the Front Range.
"If there is a red flag warning out nobody should be open burning or throwing cigarette butts out the window," Sullivan said. "The brush and the fuels are dry and ready to burn. If you give them any ignition, then the wind will allow the fire to spread very quickly."
State fire officials worry that because it's so early into the year, some people aren't following the basic Colorado fire prevention rules.
"We do really believe that people need to be a lot more cognizant of what they're doing," said Caley Fisher, spokeswoman for the Colorado Division of Fire Prevention and Control. "Wildfires are a serious threat to life and property, especially right now."
She added: "One tiny little spark can create a huge flame and engulf an entire region."
Here are some ways people have ignited wildfires in Colorado:

1. Target shooting

Recreational shooters have started a number of wildfires across Colorado. Heat from bullets is more than enough to ignite dry fuels, especially grasses and brush. In February, the Rabbit Mountain fire near Hygiene was started by target shooters who were aiming at steel plates. A fragment from one of their rounds ignited nearby grasses and charred 151 acres, prompting dozens of evacuations and consuming a barn and several outbuildings. On Sunday, officials say a shootertriggered a more than 50-acre wildfire between Lochbuie and Brighton that could be seen for miles.

2. Cigarettes

Authorities say cigarettes are one of the most common causes of wildfires, prompting roadside blazes that have consumed large areas. A cigarette butt tossed from a passing car was blamed for starting a 150-acre wildfire in Fort Collins last month. Three firefighters died battling the 2002 Big Elk fire west of Lyons, which is believed to have been ignited by a cigarette and burned thousands of acres. The 1989 Black Tiger fire in Boulder Canyon, also started by a cigarette, burned more than 2,000 acres, destroying 40 homes and causing roughly $10 million in damage.

3. Campfires and stoves

The May 2012 Hewlett fire northwest of Fort Collins raced from a backpacking-style cookstove and consumed 7,600 acres. July 2016 Cold Springs fire near Nederland burned a relatively small area — only about 500 acres — but destroyed eight homes, including one belonging to two local firefighters. It was started by a group of campers from Alabama who apparently left their campfire unattended. They were later sentenced to work release and probation for igniting the

blaze. Authorities say the Sunshine fire, which prompted evacuations near Boulder on Sunday, is believed to be human caused and started in an area known to be inhabited by transients. The cause of the Sunshine fire has not been officially released.

4. Open backyard fires

Backyard fire pits are a real danger when it comes to wildfires. In 2008, the Santa Barbara County sheriff in California said a wildfire that destroyed 210 homes and injured dozens was caused accidentally by a bonfire built by a group of young adults. The 2010 Four Mile Canyon fire near Boulder stemmed from a backyard fire pit, made by a volunteer firefighter to burn debris, that reignited in dry conditions, consuming more than 150 homes. Flying sparks can ignite tinder-dry fuels, so officials encourage people to keep an eye on fire bans and follow them closely.

5. Heat from vehicles, lawnmowers

Conditions have been so dry along the Front Range that a lawnmower was blamed Friday for starting a wildfire in the south Denver area. "This accidental fire is a good reminder of how dry conditions are," South Metro Fire Rescue said on its Twitter feed. The catalytic converter on vehicles can also ignite dry fuels, so be careful where you park when fire conditions are ripe. Vehicles catching fire have also been blamed for a number of wildfires, including one in Douglas County in August 2015 that shut down Interstate 25 and charred about 250 acres.

6. "Controlled" burns

When controlled burns escape, they can become massive wildfires. The March 2012 Lower North Fork fire in Jefferson County was a controlled burn that got out of control and killed three people. A wildfire near Aspen stemmed from a controlled burn Sunday that spread from wind gusts. A wildfire near Kremmling started in September, officials say, after a man burning slash piles lost control of his burn.

7. Burning love letters

It's not the typical way wildfires are started, but it shows just how easy it is to ignite them. The largest and among the costliest wildfires in Colorado history was started, officials say, by a U.S. Forest Service employee who burned a love letter from her estranged husband. The Hayman fire went on to char 137,760 acres in Park, Teller, Jefferson and Douglas counties in 2002. On one day alone, it ran 19 miles.

Wildfires ignite with incredible ease and can spread astonishingly quick, killing civilians and firefighters, and destroying homes, vehicles and everything else in their path. Next time you're thinking about tossing that cigarette butt out the window or leaving those embers in a campfire, think again.

For more information, visit ready.gov/wildfires or the Colorado Division of Fire Prevention and Control's website at colorado.gov/pacific/dfpc.

Evacuees from Boulder's Sunshine fire can return home; blaze now 100 percent contained (Denver Post)

The fire, which authorities believe was human-caused, has cost roughly $500,000 to fight

http://www.denverpost.com/2017/03/20/sunshine-fire-return-home-monday/

By Tom McGhee | tmcghee@denverpost.com | The Denver Post

PUBLISHED: March 20, 2017 at 8:58 am | UPDATED: March 20, 2017 at 7:13 pm

Residents who were evacuated in the path of Boulder's Sunshine fire can return home, fire officials said Monday, and the fire is 100 percent contained.

Residents should have proof of identification with them and enter the area at Boulder Canyon Drive or Sunshine Canyon Road, said Gabi Boerkircher, spokeswoman for the Boulder Office of Emergency Management.
The fire caused 426 people to be evacuated. Fire officials also lifted an order that warned an additional 815 people to be prepared to leave.
The blaze, which began early Sunday and is believed to have been caused by human activity, scorched 74 acres.
A fire line surrounded the fire west of Boulder and consisted of trenches dug by firefighters, roads and areas where slurry was dropped.
So far, it has cost roughly $500,000 to fight the fire. There were 178 firefighters and 50 firetrucks fighting the blaze Monday.
Only one person used the East Boulder Community Center as a shelter overnight Sunday, and one evacuated horse stayed at the Boulder County Fairgrounds overnight.
On Sunday, Cmdr. Mike Wagner said the general area where the fire started, at Sunshine Canyon Road and Timber Trail, has a network of unofficial "social" trails and is known to have "lots of transient campsites."
Officials were concerned Sunday about gusting winds because the fire was within a mile of downtown.
The Boulder Office of Emergency Management placed more than 1,000 phone calls ordering predawn evacuations. The fire was reported about 1:40 a.m. Sunday.
Eight aircraft dropped water and slurry, said Barb Halpin, a spokeswoman for the office. On Monday, only one helicopter was in use.

Colorado residents return to homes after Boulder wildfire (Reuters)

Hundreds of people forced from their homes by a small wildfire near the University of Colorado in Boulder were allowed to return to their properties on Monday as firefighters made headway in containing the blaze, officials said.

The Sunshine Fire, named after a canyon where it broke out early on Sunday, has scorched 62 acres (25 hectares) of woodland and is 50 percent contained, said Gabi Boerkircher, spokeswoman for the Boulder Office of Emergency Management.

No structures have been damaged and no injuries have been reported, Boerkircher said. Authorities have said the blaze appears to have been caused by human activity.

The fire on Sunday threatened more than 400 homes in the foothills near the university's campus, and residents were ordered to evacuate.

Forecasts had called for high winds, which may have fanned the fire, but the weather instead calmed overnight, allowing firefighters to put out hot spots and flare-ups, officials said.

Authorities lifted evacuation orders on Monday morning, re-opening roads and allowing residents to return. Still, a force of nearly 180 firefighters was battling the blaze on Monday.

Forecasters have issued a "red flag" warning for the area because of warm temperatures and dry conditions. As a result, firefighters were on guard in case the blaze jumps a containment line.

Much of Colorado, Kansas, Oklahoma, New Mexico and Nebraska are in drought conditions ranging from moderate to extreme, the agency said.

Prairie fires stoked by high winds and tinder-dry vegetation in the southern Great Plains killed at least six people and prompted thousands of residents to evacuate early this month.

Exceptionally Dry March Continues, Fire Bans In Place On Colorado's Front Range (CBS TV, Denver)

http://denver.cbslocal.com/2017/03/20/dry-march-continues-fire-bans-in-place-on-colorados-front-range/

March 20, 2017 11:00 AM**DENVER (CBS4)** – So far March 2017 is the driest March on record for Colorado's Front Range, and with the heightened fire danger several county managers have enacted fire restrictions.

There were 200ths of an inch of precipitation recorded on March 11 in Denver, but otherwise the month has been nothing but dry with almost all above normal temperatures.

The following is a list of all the areas with fire restrictions in place, as of Monday:
– Adams County
– Arapahoe County
– Boulder County
– Clear Creek County
– Douglas County
– Elbert County
– Gilpin County
– Jefferson County
– Park County

Check the website coemergency.com for the latest updates on fire bans in Colorado.

Wildfire Resources
– Visit CBSDenver.com's Living With Wildfire section.

More money needed for levee project (Pueblo Chieftain)

BY JON POMPIA | JPOMPIA@CHIEFTAIN.COM

Mar 20, 2017 Updated 16 hrs ago

As the costs to rebuild the Arkansas River Levee to Federal Emergency Management Agency standards continue to rise, the Pueblo Conservancy District will consider a motion Wednesday that could potentially generate more funds for the work.

During a 10:30 a.m. public meeting at the Southeastern Colorado Heritage Center, 201 W. B Street, the conservancy district board will consider a motion that would approve the filing of an action in district court requesting an increase in the levee upkeep assessment currently being paid by Pueblo County taxpayers. Property owners in the city have been paying this assessment, based on property values, since 2008, and those in the county since 2013. Annually, this assessment generates $1 million. This new assessment would increase, up to 35 percent, the current assessment paid by property owners for levee upkeep.

There are three tiers to this and the proposed assessment. Taxpayers who reside in the county are assessed the least, followed by city residents, with taxpayers within the flood plain zone paying the highest share of the assessment. Conservancy district officials are hoping to raise an additional $350,000 per year countywide, which would be earmarked for completion of the $22 million, multi-phase levee restoration and rebuild. Currently, the annual assessment cost for property owners in the flood plain is $105 per $100,000 of property value; in the city limits, the cost is $9.87; and for those in the county, $6.81. If approved by a district court judge, those assessments would be hiked up to 35 percent in each tier. Per the FEMA mandates, conservancy district officials maintain that the levee must be rebuilt in order for it to be recertified by the federal agency. Failure to obtain this recertification would, ultimately, be more financially painful for property owners in the form of exorbitant flood insurance premiums. "The Arkansas River Levee is the only thing that keeps large areas of Pueblo County from being designated by FEMA to be in a flood plain," a conservancy district spokesperson said Monday.

March heat blows Elk River record out of water (Steamboat Today)

Elk River flows over-heated

http://www.steamboattoday.com/news/2017/mar/20/march-heat-blows-elk-river-record-out-water/

By Tom Ross

Monday, March 20, 2017

Steamboat Springs — The unseasonably warm weather in Routt County triggered record-setting flows March 18 through 20 in the Elk River at its confluence with the Yampa River west of Steamboat Springs, far surpassing the prior record for the date and causing a federal hydrologist who keeps a close watch on this portion of the Colorado River system to describe them as "shocking."

"It's crazy how high the flows are for this time of year," Ashley Nielson, a senior hydrologist with the Colorado Basin River Forecast Center in Salt Lake City Utah, said. "I think we're getting snowmelt at low and middle elevation and not at the higher elevations. But this is not something we expect this time of year."

The Elk is still well below flood stage, but the acceleration of snowmelt during a time when snowpack is typically increasing stands out from the norm.

Flows in the river, which has its headwaters in the Mount Zirkel Wilderness Area northeast of Clark, hit a 24-hour peak of 1,050 cubic feet per second at 1:45 a.m. March 20, nearly doubling the previous record for the date, according to the U.S. Geological Survey. The previous record was 524 cfs, recorded in 2007. The median March 20 flow is 160 cfs.

At the same time, the Yampa River was flowing through downtown Steamboat Springs at a rate of 408 cfs, well above the median of 150 cfs (in the 90th percentile range for the date), but significantly lower than the 1916 record for the date of 690 cfs.

High flows in the Elk have been driven by snow melting under bright skies and daytime temperatures in the 60s, which have dominated the weather throughout the month. The National Weather Service reports the high temperature in Steamboat reached 70 degrees March 19, but a cooling trend is on the way.

The Elk had calmed down to 896 cfs as of 9:30 a.m. Monday as it went through its diurnal cycle of rising and falling flow volumes. However, the River Forecast Center foresees the river will continue to rise to more than 1,000 cfs through March 23, when a cooling trend calms things down March 25 through 31 and the river could remain above 600 cfs.

A pair of snowpack measurement sites operated by the Natural Resources Conservation Service confirm the record flows in the Elk are attributable to snowmelt above 9,000 feet, Nielson agreed.

The Lost Dog site, at 9,320 feet of elevation on the edge of the Zirkel Wilderness, has lost 3 inches of snow water equivalent since March 16, leaving it at 113 percent of median for the date. The Elk River measuring site, at 8,700 feet, has also lost 3 inches of snow water equivalent in the same timeframe, and snowpack there stands at 93 percent of median.

Nielson pointed to the Tower measuring site on the summit of Buffalo Pass northeast of Steamboat Springs as evidence that snowmelt has not begun at the highest elevations in the Park Range. The water content of the snowpack there, at 10,500 feet, has not changed more than a fraction of an inch since March 7.

To reach Tom Ross, call 970-871-4205, email tross@SteamboatToday.com or follow him on Twitter @ThomasSRoss1

MONTANA:

Northeastern Montana flooding closes roads, threatens property and sets record (Billings Gazette)

By JORDON NIEDERMEIER Billings Gazette

Warm weather brought flooding to northeastern Montana over the weekend and at least one waterway reached record depths.

Big Muddy Creek near Antelope peaked at 17.84 feet Monday morning. That depth is more than five feet above the flood stage of 12 feet and represents a new flood standard. The stream's previous record flood depth was 17.37 feet, set on April 14, 1982, said Tanja Fransen, meteorologist at the National Weather Service's Glasgow station.

Before the weekend flooding, Big Muddy Creek was between 5 and 7 feet deep. The Poplar River also flooded in Roosevelt County, covering some roads with water. It rose from about 3.5 feet to a peak of roughly 15.5 feet around noon on Saturday.

"I always say no two floods are the same, and this has proven me correct," Fransen said.

She said the flooding was caused by a combination of factors. A previous thaw in February resulted in heavy slush on the waterways, and a subsequent cold snap created a thicker layer of ice than the one that preceded the warm-up. Culverts were filled with heavy ice and slush.

The problem was compounded by the high level of soil saturation ahead of the winter. Now that it's thawing out, the ground is not absorbing runoff.

Ice on the Poplar River also began breaking up with the recent warm weather. An ice jam formed near Poplar where the river feeds the Missouri River because the latter waterway is still frozen. Fransen said flooding was reported on several major roadways, including Highway 2 in Roosevelt and Valley County, Highway 248 and Highway 13 north of Wolf Point. Conditions improved on the state highways over the weekend but have deteriorated on secondary roads.

"We're not totally out of the woods yet, but we should start with some improvement in the next 24 hours," Fransen said.

Bainville, which sits in a large flat valley formed by an ancient river bed, was surrounded by water over the weekend as runoff made its way to the nearby Missouri River, said Dennis Portra, the town's mayor.

Portra said the flooding closed roads on the edges of town. Water approached homes as it rose and multiple temporary dikes were constructed to prevent property damage. In one case, high water prevented a family from accessing their home over the weekend. However, the house wasn't threatened by water.

"Things have gone pretty well," Portra said. "We have a tremendous amount of water, but I think we're going to come out all right."

Floodwaters wipe out popular Jerry Johnson hot springs pool (Missoulian)

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DAVID ERICKSON david.erickson@missoulian.com
Usually large enough to accommodate at least a dozen soakers, the main pool at Jerry Johnson hot springs in Idaho has been reduced by floodwaters to a shallow depression just big enough for one or two people.

LOLO PASS, Idaho – Sometime in the last week, perhaps as recently as Saturday, floodwaters washed away the main soaking pool at the popular Jerry Johnson hot springs in Idaho.

Located a short hike from Highway 12 just over the border from Montana, the hot springs are visited by hundreds of people each week.

On Sunday, several dozen visitors seem surprised to find the pool had been obliterated. There are several pools in the area, but the main pool bore the brunt of the flooding.

Usually big enough to easily hold at least 12 people, it had been wiped away. Someone had apparently clawed away enough mud and sand to make a shallow depression big enough for two people in lukewarm water.

An upper pool was still usable on Sunday, but the floodwaters appeared to have altered the springs to make the water much cooler than normal. A group of soakers huddled toward one side of the pool to keep warm. A large stream had carved out a new channel in the mud in the area.

According to the U.S. Natural Resources Conservation Services, the Lolo Pass area received 3.5 inches of rainfall between March 13 and March 20. By comparison, the Missoula Valley averages about 14 inches of rainfall in a typical year.

According to the U.S. Geological Service, the Lochsa River experienced a rapid influx of water from March 13 until March 16. Data shows that the Lochsa was running at about 4,500 cubic feet per second on March 13 then hit nearly 20,000 cubic feet per second on March 17. It was still running at about 12,000 cfs on Sunday.

The hot springs are managed as a recreation site by the Nez Perce-Clearwater National Forests in Idaho. Margaret Riley at the Powell Ranger Station said that her office hadn't received any reports of the damage as of Monday afternoon, indicating that the event occurred fairly recently.

Riley said she didn't know the process for repairing the pool and needed to speak with more of her colleagues. In the past, the pools have been dug out and modified slightly on an ad-hoc basis by volunteers.

NORTH DAKOTA:

Now is the time to consider flood insurance, North Dakota commissioner warns (Forum News Service/Bismarck Tribune)

April Baumgarten Forum News Service (Bismarck Tribune)

North Dakota's insurance commissioner is encouraging residents who face major flooding to be prepared.

The warning from Commissioner Jon Godfread comes ahead of spring flooding, with parts of northeast North Dakota, especially near Grafton, Devils Lake and in Cavalier and Pembina

counties, having the highest potential for flooding in the U.S., according to the National Weather Service. Devils Lake is expected to rise 3 to 4 feet, putting nearly 40,000 acres of land at risk.

Grafton will likely see major flooding and has a 25 percent chance of seeing a record-setting flood. The Park River in Grafton had a record crest of 16.16 feet in May 2013.

The major flood stage for the river begins at 14.5 feet, which the river should surpass later this spring. It's possible the river could rise as high as 19.7 feet.

Devils Lake, which is expected to see record runoff, could begin to rapidly rise from April into May, averaging a half-foot or more per week before it peaks, possibly above the June 2011 record elevation of 1,454.3 feet, according to the weather service.

The flood risk reduces to the south along the Red River, as there is little to no snow left south of Grand Forks.

Godfread warned residents in a news release that traditional homeowners insurance does not cover flood damage. When residents sign up for flood insurance, it takes 30 days to kick in, Godfread said in the release.

"I urge all North Dakotans to take the time to learn about how they can better protect themselves and their property from the destruction brought on by a flood," he said, adding it is "a critical time of year for consumers to talk to their insurance agent about their policy's limits and what other coverage options they have."

Flood insurance is available to homeowners, renters and businesses through the National Flood Insurance Program, which is managed by the Federal Emergency Management Administration.

The weather service may release an updated flood outlook on Friday.

Flood insurance: To buy or not to buy? (WDAZ-TV, Grand Forks)

http://www.wdaz.com/news/north-dakota/4237658-flood-insurance-buy-or-not-buy

By Jon Tweet on Mar 20, 2017 at 5:06 p.m.

GRAND FORKS, ND (WDAZ-TV) - Fighting a flood before it starts.

The North Dakota Insurance Commissioner wants you to buy flood insurance, but there are some important things to know.

A local agent reminds us National Flood Insurance only kicks in if FEMA determines your area flooded. The price is determined by the flood zone you are in.

Flood insurance doesn't cover water pump failure or other non-flood related water damage to your home.

The agent says the most important thing to know ahead of flood season, is that if you think you need it, you don't need to wait.

"The big thing with flood insurance though that I would always caution people on is 'don't wait too long' because flood policies don't take effect for 30 days after application," said Randy Fenley of State Farm Insurance. "So this is kind of getting to be one of those times where you either need to pull the trigger or take your chance on what the spring's going to be like."

Company: Dakota Access pipeline on track, despite "threats" (Bismarck Tribune)

Mar 20, 2017 Updated 11 hrs ago (AP story in Bismarck Tribune)
BISMARCK, N.D. (AP) — The company building the Dakota Access pipeline said Monday that the project remains on track to start moving oil this week despite recent "coordinated physical attacks" along the line.

The brief court filing late Monday from Dallas-based Energy Transfer Partners didn't detail the attacks, but said they "pose threats to life, physical safety and the environment."

The filing cited those threats for redacting much of the rest of the 2½-page report, but ended: "These coordinated attacks will not stop line-fill operations. With that in mind, the company now believes that oil may flow sometime this week."

A spokeswoman for the company declined to elaborate on the types of attacks. A spokesman for the Morton County sheriff's office, the center of months of sometimes violent conflicts between protesters and law enforcement, didn't immediately respond to an email.

The Standing Rock and Cheyenne River Sioux tribes have battled the $3.8 billion pipeline in court for months, arguing it's a threat to water and their right to practice their religion.

The company has maintained the pipeline, which will move oil from North Dakota's Bakken oil field more than 1,000 miles across four states to a shipping point in Illinois, will be safe.

An appeals court on Saturday refused a request from the tribes for an emergency order to prevent oil from flowing through the pipeline.

The tribes have challenged an earlier ruling by U.S. District Judge James Boasberg not to stop final construction of the pipeline, and they wanted the appeals court to halt any oil flow until that's resolved.

The appeals court said the tribes hadn't met "the stringent requirements" for such an order.

The tribes had asked Boasberg to direct the Army Corps of Engineers to withdraw permission for Energy Transfer Partners to lay pipe under Lake Oahe in North Dakota, which the Corps manages for the U.S. government. The stretch under the Missouri River reservoir is the last piece of construction for the pipeline.

The company is wrapping up pipe work under the lake and had said oil could start flowing between Monday and Wednesday.

The tribes' appeal rests on the religion argument. Boasberg has said he doesn't think the tribes have a strong case on appeal. He also said ETP would be "substantially harmed" by a delay in pipeline operations.

Environment activists deny attacking Dakota Access pipeline (AP, Bismarck Tribune)

Mar 21, 2017 (AP story in the Bismarck Tribune)
BISMARCK, N.D. (AP) — Environmental activists who tried to disrupt some oil pipeline operations in four states to protest the Dakota Access pipeline say they aren't responsible for any recent attacks on that pipeline.

Dakota Access developer Energy Transfer Partners said in court documents Monday that there have been "coordinated physical attacks" along the $3.8 billion pipeline that will carry oil from North Dakota to Illinois. Company officials haven't responded to AP requests for more details.

Jay O'Hara with the Climate Disobedience Center told The Associated Press Tuesday that Climate Direct Action wasn't involved, and he isn't aware of anyone claiming responsibility.

In October, Climate Direct Action activists tried to shut valves on oil pipelines in North Dakota, Minnesota, Montana and Washington. But O'Hara says the group has no plans to target Dakota Access.

SOUTH DAKOTA:

DUNE project in Lead would be among most sophisticated projects ever (Rapid City Journal)

Tom Griffith Journal staff (Rapid City Journal)
Mar 19, 2017
LEAD | Carve a few massive caverns nearly a mile below the surface of the Black Hills, haul off hundreds of thousands of tons of crushed rock, add the largest refrigeration system ever, then install the most sensitive particle detectors known to man, and you'd be ready to host what is arguably the most sophisticated science experiment ever staged on the planet.

That's exactly what the Sanford Underground Research Facility and the Fermi National Accelerator Laboratory are planning with the billion-dollar Deep Underground Neutrino Experiment.

"This is the first time an experiment of this scale has occurred anywhere in the world, and it's going to be done right here," Fermilab Deputy Project Manager Joshua Willhite told 100 Northern Hills residents during an informational meeting in Lead on Monday night.

The Deep Underground Neutrino Experiment, commonly referred to as DUNE, represents a scene straight out of a science fiction movie. As envisioned, scientists at the Fermilab near Chicago will fire a beam of tiny neutrinos at near-light speed that will carry the subatomic particles through solid rock 808 miles away to the Black Hills of South Dakota, where scientists deep underground at the Sanford Lab hope to "catch" the particles using sophisticated detectors.

The groundbreaking particle physics experiment currently has 960 collaborators from 163 institutions in 31 nations, Willhite said Monday. Sixty percent of those scientists are based outside the U.S., and that number is expected to grow, he noted.

"This has broad international support," Willhite said.

Cutting-edge science

On its own, the $300-plus million investment for the experiment at the Sanford Lab in Lead represents the largest single project in the history of South Dakota, says Sanford Lab Director Mike Headley.

More important to scientists working around the world to unravel the mysteries of the universe, the experiment has the potential to advance scientific knowledge and yield technological advancements on a par with the race to the moon in the 1960s, project advocates contend.

"DUNE collaborators hope to learn the role neutrinos play in the evolution of the universe; better understand how supernovae produce the heavy elements— iron, calcium, carbon and others — that are necessary for life; how much mass the neutrino has; and why the universe consists of matter rather than antimatter," the Lab's Communications Director Constance Walter said Thursday. "Any, or all, of these discoveries will transform our understanding of the universe and advance physics to a whole new level."

Neutrino research is a competitive field, with several different experiments around the globe looking for the same things DUNE hopes to discover, Walter explained. The DUNE team of scientists and engineers is developing cutting-edge technology on a scale much larger than anything that has been developed for neutrino experiments, she said.

"In its space race with the Soviet Union, NASA discovered new technologies and gained incredible knowledge, which eventually landed American astronauts on the moon," Walter added. "With the development of new and the enhancement of existing technologies for DUNE and the Long-Baseline Neutrino Facility, we could see much the same thing in physics research."

Closer to home, the federally financed experiment could have economic benefits unparalleled in South Dakota history, according to study findings presented at Monday's 70-minute presentation. Those "credible and conservative" estimates of the local economic impacts of the projected construction and operations of Long-Baseline Neutrino Facility and DUNE in South Dakota and Illinois took into account capital projects and direct spending, as well as additional business activity, jobs and payroll supported by that spending from 2016 through 2026.

During that period, the economic impact of LBNF/DUNE in the western South Dakota region will total $860 million in output and $330 million in earnings for local residents, according to the April 2016 study. The employment prospects for local residents will peak at more than 1,800 jobs in 2020, the study reported.

The total fiscal impact of LBNF/DUNE for the state of South Dakota is projected at $10.6 million in tax revenue from 2016 to 2026, peaking at $2.5 million in annual revenue in 2020, the study concluded.

Meanwhile, the study found the economic impact of LBNF/DUNE on the Chicago region would total $1.1 billion in output and $570 million in earnings for local residents. The impact on jobs for Illinois would peak at nearly 2,000 in 2024. The total fiscal impact for the state of Illinois would be $21 million in tax revenue from 2016 to 2026, peaking at $2.7 million in annual revenue in 2024, according to the study.

"This will be one of the largest science mega-projects ever to occur on U.S. soil," Headley said Monday night. While already hosting several major underground experiments and an underground campus for students at Black Hills State University in Spearfish, Sanford Lab's 163 current employees are gearing up for the new experiment, he and Willhite noted.

UTAH:

No FEMA-related stories

WYOMING:

As Snowpack Melts, Flooding Could Become Major Problem (Wyoming Public Radio)

By CAROLINE BALLARD • 44 MINUTES AGO

Wyoming has already seen ice jam flooding this winter on the Bighorn River, and flood watches and warnings have been issued for communities around the Western Mountains in the last few weeks. With sustained warm temperatures and high snowpack, flooding could continue to be a problem this spring.

Diana Herrera is the senior flood insurance specialist with FEMA Region 8, which encompasses the Rocky Mountain West. She said people should be aware of their risk for flooding, and that there are a number of things that can reduce that risk.

"You can use sandbags. You can make yourself a temporary levee with Visqueen and plywood and sand to help give you a little barrier around the house. So there are a number of opportunities you can use to help reduce the risk for flooding. Right now we just don't know what it's going to do," said Herrera.

And if Herrera said purchasing flood insurance, which is sold separately from homeowners or renters insurance, could take a while.

"There's also a thirty day wait period in order to buy flood insurance. So if you see the water coming down the creek you're too late. So talk to your insurance agent, get a quote, get your policy in place before the rest of that snow pack comes down," said Herrera.

Herrera said it's difficult to predict what will happen with the snowpack, but that it could be similar to 2011 when the state saw extensive flooding. To find your flood zone risk, visit www.floodfind.com.

Landslide Crumbles Highway 89 (Jackson Hole News and Guide)

March 20, 2017

Commuters driving to Jackson from Star Valley this morning should expect delays due to a landslide that is fracturing a stretch of U.S. 89/26.

Wyoming Department of Transportation officials were able to reopen a deteriorating stretch of Snake River Canyon on Saturday afternoon by creating a temporary lane, allowing two-way traffic to flow at a reduced speed around damage caused by the landslide.

"Two-way traffic is flowing, so I guess we're OK," WYDOT Maintenance Foreman Bruce Daigle said Sunday. "Our lane we built is working out well."

The 100-foot stretch of highway that's cracking is just a few miles south of Hoback Junction and has been expanding since Friday when it was discovered. Fissures in the ground were up to 4 inches wide and 2 feet deep.

The Snake River Canyon was closed from 8 p.m. Friday until about 3 p.m. Saturday while crews from Jackson, Pinedale and Afton built the temporary lane.

That delayed many drivers, including D.J. Olsen, who had to sleep in his U-Haul at a nearby turnout.

"It's been one crazy time for me," Olsen said. "I broke my phone as I was moving so I had to go back to my dumb phone. I don't have service so I can't watch any Netflix or anything so I'm just sitting here enjoying the view."

Olsen was on the last stretch of his move from Casper to Blackfoot, Idaho, when he was stopped by the road closure around midnight Friday, where he was stuck for almost 15 hours.

"I can't go over Teton Pass because I have a trailer," Olsen said. "I went and got doughnuts and a hot beverage."

The new lane that allowed the road to reopen was made by filling the drainage ditch with dirt and laying down two types of geogrid, which is used to reinforce soils. Gravel was placed on top, smoothed and then covered with a road base. The new lane will have to be maintained every few days because of the heavy traffic expected through Snake River Canyon, Daigle said.

The landslide is being called the Twin Pine Slide because of two big pine trees that stand nearby.

"This spot has had a dip in it for years," Daigle said. "But this year's storm events I think has really pushed this along."

The road is crumbling between two retaining walls, in the space where a deer jump was put. It's a steep hillside down to the Snake River, and the extreme moisture this year has caused the earth to soften and move.

"I think with the moisture this year it finally got wet enough that it's going downhill," WYDOT geologist Kirk Hood said. "Gravity works."

The movement is a textbook landslide.

"With all the moisture in the ground, the dirt just lost sheer strength and it's just failing and sliding toward the Snake," Hood said. "It's a true landslide."

Drivers should expect frequent closures and delays while crews continue to monitor the landslide, Daigle said.

Early Wildfire In Tongue River Canyon Investigated (Associated Press)

March 20, 2017

SHERIDAN, Wyo. (AP) — Bighorn National Forest officials are investigating an early-season wildfire in the Tongue River Canyon west of Sheridan.

They say the fire was human-caused.

A hiker reported the fire on a dry, south-facing slope Sunday afternoon. The fire burned about 30 acres of timber and grass but firefighters got the flames under control.

They're expecting rain in the area Monday and Tuesday.

Forest officials urge campers to be careful with campfires.

FEMA-RELATED STORIES:

Trump's cut to flood map program could trigger insurance rate hikes: group (Reuters)

By Suzanne Barlyn

A proposal by the Trump administration to cut $190 million in funding for updating U.S. maps of flood-prone areas would trigger higher insurance rates or more homebuilding in risky locations, a consumer group said on Monday.

Flood-mapping provides important details about where it is safe to build, whether flood insurance is needed and how to price coverage, Robert Hunter, director of insurance for the Consumer Federation of America, said in a statement.

Slashing funding for the National Flood Insurance Program's (NFIP) retooling of U.S. flood maps will lead to relying on old maps and construction in areas that are now flood prone, or hiking insurance premiums to pay for new maps, Hunter said.

The White House 2018 budget, unveiled last Thursday, would eliminate a $190 million "discretionary appropriation" for the National Flood Insurance Program's (NFIP) updating of U.S. flood maps and "explore other more effective and fair means of funding flood mapping efforts."

Costs for mapping have been shared by insurance policyholders and the federal government for the past 15 years, said a spokeswoman for the Federal Emergency Management (FEMA), which operates the flood insurance program.

"The president's budget directs us to explore avenues to shift these costs away from general appropriations," the FEMA spokeswoman said.

Updating U.S. flood maps is seen by consumer and insurance industry advocates as a necessary step toward modernizing the U.S. flood insurance market.

The White House 2018 budget is the first step in a long process that will be debated by U.S. lawmakers.

The NFIP, whose authorization is set to expire in September, could face other sweeping changes. The program is $24.6 billion in debt to the U.S. Treasury Department, the FEMA spokeswoman said.

Insurance industry groups are also concerned about the mapping proposal. "Understandably, we're all concerned about the potential to undermine efforts to modernize the maps," said Leigh Ann Pusey, president and chief executive officer of the American Insurance Association.

Still, the budget process is at an early stage, Pusey said.

U.S. Sees Furious Start To The Wildfire Season (USA Today)

By Doyle Rice

March 20, 2017

Wildfires have charred a whopping 2 million acres across the U.S. so far this year, an area larger than the state of Delaware.

It's a gigantic number for so early in the season, roughly 10 times the average and also the most acres burned as of mid-March since 2006, according to spokeswoman Jessica Gardetto of the National Interagency Fire Center in Boise, Idaho.

Many of the blazes have been massive grass fires in Oklahoma and Kansas, which have both set records for number of acres burned in March, Gardetto said.

An Oklahoma truck driver died two weeks ago in Clark County, Kan., due to smoke inhalation from a fire, the Kansas state fire marshal's office reported. There have also been at least seven fire-related injuries, two of whom were first responders.

In Kansas, most fires are started by "controlled" or planned fires that either rekindled or spread out of control, according to Kevin Doel, a spokesman with the Kansas State Fire Marshal's office. (However, the causes of this year's blazes have yet to be determined.)

So far this year, approximately 650,000 acres have burned, Doel said, though that number may change as the fire data are further analyzed.

In parched Oklahoma, drought conditions now encompass three-quarters of the state, the U.S. Drought Monitor said. Oklahoma City has received a paltry 0.01 of an inch of rain so far this month, the National Weather Service said, which is less than 1% of the city's typical March precipitation.

Ongoing warm, dry, breezy weather will bring ideal conditions for fires to spread in Oklahoma on several days this week, the weather service predicted.

Along with drawing hot, dry air out of Mexico, strong south to southwest winds will increase the wildfire threat across the region this week by quickly spreading any small fires that break out over the southern and central High Plains, AccuWeather said.

"The wildfire danger will ramp up on Wednesday with the worst conditions likely on Thursday," according to AccuWeather meteorologist Brett Anderson.

Farther west, the Sunshine Fire, which forced hundreds of people from their homes in Colorado on Sunday, was due in part to tinder-dry conditions there. While March is typically Colorado's snowiest month of the year, "one of the firefighters said it feels like June up there," Boulder County Sheriff's Cmdr. Mike Wagner said, when referring to the fire zone. "There is no moisture," he said.

Wagner called the dry conditions "concerning" and said they could contribute to a major fire season this summer. "June is a more typical fire season, hotter and drier," he said. "But around here it seems that fire season goes all year long."

Man-made climate change has been cited as a cause of the lengthening wildfire season in the West, several scientific studies have shown, and has increased the likelihood of extreme fires there.

Region VIII Clips
Tuesday, March 21, 2017

ANALYSIS

- *Colorado:* Cooler weather in the state may start Tuesday, with moisture in the Denver metro area starting Thursday, reducing fire danger… The *Denver Post* ran a story on preventing human-caused fires… Evacuees from the Sunshine Fire have been allowed to return home. Reuters also had a story on evacuees returning (and it was mentioned on CBS News). ... The record dry March has prompted fire bans… Costs to rebuild the Arkansas River Levee in Pueblo "to FEMA standards" continue to rise, prompting a tax increase… The warm weather has led to record March flows on the Elk River.
- *Montana:* The *Billings Gazette* reported on localized flooding in northeastern Montana. The situation was expected to improve… Lolo Pass hot springs has been lost to floodwaters.
- *North Dakota:* State Insurance Commissioner Jon Godfread urges residents to get flood insurance now. The story notes that NE North Dakota currently faces the highest flood threat of anywhere in the U.S.…. WDAZ TV also cited the insurance commissioner's call, but used a local insurance agent for more comment… The company building the Dakota Access Pipeline says oil will begin flowing between Monday and Wednesday this week despite "coordinated physical attacks" on the line. No more details were given about the attacks. One group of activist opponents to the pipeline denied any involvement in the attacks.
- *South Dakota:* … A massive experiment planned to capture neutrinos could result in the largest project ever built in the state – largely underground in Lead.
- *Utah:* No FEMA-related stories
- *Wyoming:* A story by Wyoming Public Radio on potential flooding includes comments from FEMA NFIP specialist Diana Herrera. … A landslide temporarily closed a section of Hwy. 89 in the Snake River Canyon… There was a wildfire in the Tongue River Canyon.
- *Other FEMA-related stories:* Reuters carried a story on the proposed cuts to the NFIP mapping budget… *USA Today* ran a story on the extraordinary record of wildfires already this year.

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FEMA-RELATED STORIES
You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

Trump's cut to flood map program could trigger insurance rate hikes: group (Reuters)

U.S. Sees Furious Start To The Wildfire Season (USA Today)

STORIES

COLORADO:

Don’t put away your snow shovel just yet, Denver (Denver Post)

Wet, cooler weather in the Front Range forecast; could dampen fire dangers

By Kieran Nicholson | knicholson@denverpost.com | The Denver Post
PUBLISHED: March 20, 2017 at 5:37 pm | UPDATED: March 21, 2017 at 7:38 am

Don’t put your snow shovel away just yet, Denver.

After weeks of dry and sometimes unseasonably warm weather, including record-setting high temperatures, much-needed moisture is in the forecast for northeastern Colorado, with a chance of rain in Denver starting Thursday afternoon and possibly changing to snow overnight.

March is typically Denver’s snowiest month, but the city has seen just a trace of snow so far this month.

"It would definitely be a big help," said Jim Kalina, a meteorologist with the National Weather Service, of the cool, wet forecast. "It would be a big boost this time of year."

A high pressure ridge locked over Colorado is weakening, which will allow moisture and cooler weather to flow into the state starting Tuesday in the mountains, where there will be a chance of rain and snow, with the snow line at about 10,000-feet in elevation, according to the weather service. Snow accumulations in the mountains on Tuesday, however, should be "minor."

Also on Tuesday, there's a slight chance of rain showers over the eastern plains.

On Wednesday, warm, dry and breezy conditions in northeastern Colorado will once again elevate fire dangers in the foothills and on the plains, the weather service reports.

Relief for severely parched northeastern Colorado comes into play Thursday into Friday as a storm system tracks slowly across the state.

"We are looking right now for Thursday night into Friday, we have a good chance of some rain and maybe even a little bit of snow mixed into that," for the Denver forecast, Kalina said. Denver could see between one-quarter inch up to 1-inch of moisture from the upcoming storm system.

"Depending on the track of the storm, we have the potential to get some good moisture with this," Kalina said.

Some mountain areas along with the higher foothills could see several inches of snow as moderate to heavy rains fall across the plains. At lower elevations, areas south of Denver to the Palmer Divide could see heavier amounts.

Dry and warmer weather should return to northeastern Colorado on Saturday, but a few more waves of moisture could be developing for Sunday and Monday night into next Tuesday.

"We're in a pattern where we may see a few more storm systems coming across," Kalina said. "I don't see much of a problem with that."

It's already dangerously dry in Colorado. Here are 7 ways humans caused wildfires without meaning to. (Denver Post)

From cigarette butts to a flaming love letter, wildfires can easily ignite in Colorado

http://www.denverpost.com/2017/03/20/dry-weather-colorado-human-caused-wildfires/ - good video as part of this story

By Jesse Paul | jpaul@denverpost.com | The Denver Post
PUBLISHED: March 20, 2017 at 1:58 pm | UPDATED: March 20, 2017 at 4:36 pm

The past few months have been among the warmest and driest on record and in recent memory, leaving tinder-dry conditions in Colorado ripe for fast-moving and large wildfires.

As of Monday, the National Weather Service in Boulder had issued 17 red-flag warnings for fire danger since Jan. 1 — 11 of them in the first 20 days of March alone.

"March is one of our snowiest months, normally, with about an average of 11.2 inches of snow in Denver," said Natalie Sullivan, a meteorologist with the weather service's office in Boulder. "We haven't received any snow this month. We are definitely having warm, dry conditions and wind as well."

While the danger of wildfires exists year round in Colorado, officials say the public needs to be more aware than ever during this dry spell. Fire bans have been enacted across the Front Range.

"If there is a red flag warning out nobody should be open burning or throwing cigarette butts out the window," Sullivan said. "The brush and the fuels are dry and ready to burn. If you give them any ignition, then the wind will allow the fire to spread very quickly."

State fire officials worry that because it's so early into the year, some people aren't following the basic Colorado fire prevention rules.

"We do really believe that people need to be a lot more cognizant of what they're doing," said Caley Fisher, spokeswoman for the Colorado Division of Fire Prevention and Control. "Wildfires are a serious threat to life and property, especially right now."

She added: "One tiny little spark can create a huge flame and engulf an entire region."

Here are some ways people have ignited wildfires in Colorado:

1. Target shooting

Recreational shooters have started a number of wildfires across Colorado. Heat from bullets is more than enough to ignite dry fuels, especially grasses and brush. In February, the Rabbit Mountain fire near Hygiene was started by target shooters who were aiming at steel plates. A fragment from one of their rounds ignited nearby grasses and charred 151 acres, prompting dozens of evacuations and consuming a barn and several outbuildings. On Sunday, officials say a shooter triggered a more than 50-acre wildfire between Lochbuie and Brighton that could be seen for miles.

2. Cigarettes

Authorities say cigarettes are one of the most common causes of wildfires, prompting roadside blazes that have consumed large areas. A cigarette butt tossed from a passing car was blamed for starting a 150-acre wildfire in Fort Collins last month. Three firefighters died battling the 2002 Big Elk fire west of Lyons, which is believed to have been ignited by a cigarette and burned

thousands of acres. The 1989 Black Tiger fire in Boulder Canyon, also started by a cigarette, burned more than 2,000 acres, destroying 40 homes and causing roughly $10 million in damage.

3. Campfires and stoves

The May 2012 Hewlett fire northwest of Fort Collins raced from a backpacking-style cookstove and consumed 7,600 acres. July 2016 Cold Springs fire near Nederland burned a relatively small area — only about 500 acres — but destroyed eight homes, including one belonging to two local firefighters. It was started by a group of campers from Alabama who apparently left their campfire unattended. They were later sentenced to work release and probation for igniting the blaze. Authorities say the Sunshine fire, which prompted evacuations near Boulder on Sunday, is believed to be human caused and started in an area known to be inhabited by transients. The cause of the Sunshine fire has not been officially released.

4. Open backyard fires

Backyard fire pits are a real danger when it comes to wildfires. In 2008, the Santa Barbara County sheriff in California said a wildfire that destroyed 210 homes and injured dozens was caused accidentally by a bonfire built by a group of young adults. The 2010 Four Mile Canyon fire near Boulder stemmed from a backyard fire pit, made by a volunteer firefighter to burn debris, that reignited in dry conditions, consuming more than 150 homes. Flying sparks can ignite tinder-dry fuels, so officials encourage people to keep an eye on fire bans and follow them closely.

5. Heat from vehicles, lawnmowers

Conditions have been so dry along the Front Range that a lawnmower was blamed Friday for starting a wildfire in the south Denver area. “This accidental fire is a good reminder of how dry conditions are,” South Metro Fire Rescue said on its Twitter feed. The catalytic converter on vehicles can also ignite dry fuels, so be careful where you park when fire conditions are ripe. Vehicles catching fire have also been blamed for a number of wildfires, including one in Douglas County in August 2015 that shut down Interstate 25 and charred about 250 acres.

6. “Controlled” burns

When controlled burns escape, they can become massive wildfires. The March 2012 Lower North Fork fire in Jefferson County was a controlled burn that got out of control and killed three people. A wildfire near Aspen stemmed from a controlled burn Sunday that spread from wind gusts. A wildfire near Kremmling started in September, officials say, after a man burning slash piles lost control of his burn.

7. Burning love letters

It’s not the typical way wildfires are started, but it shows just how easy it is to ignite them. The largest and among the costliest wildfires in Colorado history was started, officials say, by a U.S. Forest Service employee who burned a love letter from her estranged husband. The Hayman fire

went on to char 137,760 acres in Park, Teller, Jefferson and Douglas counties in 2002. On one day alone, it ran 19 miles.

Wildfires ignite with incredible ease and can spread astonishingly quick, killing civilians and firefighters, and destroying homes, vehicles and everything else in their path. Next time you're thinking about tossing that cigarette butt out the window or leaving those embers in a campfire, think again.

For more information, visit ready.gov/wildfires or the Colorado Division of Fire Prevention and Control's website at colorado.gov/pacific/dfpc.

Evacuees from Boulder's Sunshine fire can return home; blaze now 100 percent contained (Denver Post)

The fire, which authorities believe was human-caused, has cost roughly $500,000 to fight

http://www.denverpost.com/2017/03/20/sunshine-fire-return-home-monday/
By Tom McGhee | tmcghee@denverpost.com | The Denver Post
PUBLISHED: March 20, 2017 at 8:58 am | UPDATED: March 20, 2017 at 7:13 pm

Residents who were evacuated in the path of Boulder's Sunshine fire can return home, fire officials said Monday, and the fire is 100 percent contained.

Residents should have proof of identification with them and enter the area at Boulder Canyon Drive or Sunshine Canyon Road, said Gabi Boerkircher, spokeswoman for the Boulder Office of Emergency Management.

The fire caused 426 people to be evacuated. Fire officials also lifted an order that warned an additional 815 people to be prepared to leave.

The blaze, which began early Sunday and is believed to have been caused by human activity, scorched 74 acres.

A fire line surrounded the fire west of Boulder and consisted of trenches dug by firefighters, roads and areas where slurry was dropped.

So far, it has cost roughly $500,000 to fight the fire. There were 178 firefighters and 50 firetrucks fighting the blaze Monday.

Only one person used the East Boulder Community Center as a shelter overnight Sunday, and one evacuated horse stayed at the Boulder County Fairgrounds overnight.

On Sunday, Cmdr. Mike Wagner said the general area where the fire started, at Sunshine Canyon Road and Timber Trail, has a network of unofficial "social" trails and is known to have "lots of transient campsites."

Officials were concerned Sunday about gusting winds because the fire was within a mile of downtown.

The Boulder Office of Emergency Management placed more than 1,000 phone calls ordering predawn evacuations. The fire was reported about 1:40 a.m. Sunday.

Eight aircraft dropped water and slurry, said Barb Halpin, a spokeswoman for the office. On Monday, only one helicopter was in use.

Colorado residents return to homes after Boulder wildfire (Reuters)

Hundreds of people forced from their homes by a small wildfire near the University of Colorado in Boulder were allowed to return to their properties on Monday as firefighters made headway in containing the blaze, officials said.

The Sunshine Fire, named after a canyon where it broke out early on Sunday, has scorched 62 acres (25 hectares) of woodland and is 50 percent contained, said Gabi Boerkircher, spokeswoman for the Boulder Office of Emergency Management.

No structures have been damaged and no injuries have been reported, Boerkircher said. Authorities have said the blaze appears to have been caused by human activity.

The fire on Sunday threatened more than 400 homes in the foothills near the university's campus, and residents were ordered to evacuate.

Forecasts had called for high winds, which may have fanned the fire, but the weather instead calmed overnight, allowing firefighters to put out hot spots and flare-ups, officials said.

Authorities lifted evacuation orders on Monday morning, re-opening roads and allowing residents to return. Still, a force of nearly 180 firefighters was battling the blaze on Monday.

Forecasters have issued a "red flag" warning for the area because of warm temperatures and dry conditions. As a result, firefighters were on guard in case the blaze jumps a containment line.

Much of Colorado, Kansas, Oklahoma, New Mexico and Nebraska are in drought conditions ranging from moderate to extreme, the agency said.

Prairie fires stoked by high winds and tinder-dry vegetation in the southern Great Plains killed at least six people and prompted thousands of residents to evacuate early this month.

Exceptionally Dry March Continues, Fire Bans In Place On Colorado's Front Range (CBS TV, Denver)

http://denver.cbslocal.com/2017/03/20/dry-march-continues-fire-bans-in-place-on-colorados-front-range/

March 20, 2017 11:00 AM**DENVER (CBS4)** – So far March 2017 is the driest March on record for Colorado's Front Range, and with the heightened fire danger several county managers have enacted fire restrictions.

There were 200ths of an inch of precipitation recorded on March 11 in Denver, but otherwise the month has been nothing but dry with almost all above normal temperatures.

The following is a list of all the areas with fire restrictions in place, as of Monday:
– Adams County
– Arapahoe County
– Boulder County
– Clear Creek County
– Douglas County
– Elbert County
– Gilpin County
– Jefferson County
– Park County

Check the website coemergency.com for the latest updates on fire bans in Colorado.

Wildfire Resources
– Visit CBSDenver.com's Living With Wildfire section.

More money needed for levee project (Pueblo Chieftain)

BY JON POMPIA | JPOMPIA@CHIEFTAIN.COM

Mar 20, 2017 Updated 16 hrs ago

As the costs to rebuild the Arkansas River Levee to Federal Emergency Management Agency standards continue to rise, the Pueblo Conservancy District will consider a motion Wednesday that could potentially generate more funds for the work.

During a 10:30 a.m. public meeting at the Southeastern Colorado Heritage Center, 201 W. B Street, the conservancy district board will consider a motion that would approve the filing of an action in district court requesting an increase in the levee upkeep assessment currently being paid by Pueblo County taxpayers. Property owners in the city have been paying this assessment, based on property values, since 2008, and those in the county since 2013. Annually, this assessment generates $1 million. This new assessment would increase, up to 35 percent, the current assessment paid by property owners for levee upkeep.

There are three tiers to this and the proposed assessment. Taxpayers who reside in the county are assessed the least, followed by city residents, with taxpayers within the flood plain zone paying the highest share of the assessment. Conservancy district officials are hoping to raise an additional $350,000 per year countywide, which would be earmarked for completion of the $22 million, multi-phase levee restoration and rebuild. Currently, the annual assessment cost for property owners in the flood plain is $105 per $100,000 of property value; in the city limits, the cost is $9.87; and for those in the county, $6.81. If approved by a district court judge, those assessments would be hiked up to 35 percent in each tier. Per the FEMA mandates, conservancy district officials maintain that the levee must be rebuilt in order for it to be recertified by the federal agency. Failure to obtain this recertification would, ultimately, be more financially painful for property owners in the form of exorbitant flood insurance premiums. "The Arkansas River Levee is the only thing that keeps large areas of Pueblo County from being designated by FEMA to be in a flood plain," a conservancy district spokesperson said Monday.

March heat blows Elk River record out of water (Steamboat Today)

Elk River flows over-heated

http://www.steamboattoday.com/news/2017/mar/20/march-heat-blows-elk-river-record-out-water/

By Tom Ross
Monday, March 20, 2017

Steamboat Springs — The unseasonably warm weather in Routt County triggered record-setting flows March 18 through 20 in the Elk River at its confluence with the Yampa River west of Steamboat Springs, far surpassing the prior record for the date and causing a federal hydrologist who keeps a close watch on this portion of the Colorado River system to describe them as "shocking."

"It's crazy how high the flows are for this time of year," Ashley Nielson, a senior hydrologist with the Colorado Basin River Forecast Center in Salt Lake City Utah, said. "I think we're getting snowmelt at low and middle elevation and not at the higher elevations. But this is not something we expect this time of year."

The Elk is still well below flood stage, but the acceleration of snowmelt during a time when snowpack is typically increasing stands out from the norm.

Flows in the river, which has its headwaters in the Mount Zirkel Wilderness Area northeast of Clark, hit a 24-hour peak of 1,050 cubic feet per second at 1:45 a.m. March 20, nearly doubling the previous record for the date, according to the U.S. Geological Survey. The previous record was 524 cfs, recorded in 2007. The median March 20 flow is 160 cfs.

At the same time, the Yampa River was flowing through downtown Steamboat Springs at a rate of 408 cfs, well above the median of 150 cfs (in the 90th percentile range for the date), but significantly lower than the 1916 record for the date of 690 cfs.

High flows in the Elk have been driven by snow melting under bright skies and daytime temperatures in the 60s, which have dominated the weather throughout the month. The National Weather Service reports the high temperature in Steamboat reached 70 degrees March 19, but a cooling trend is on the way.

The Elk had calmed down to 896 cfs as of 9:30 a.m. Monday as it went through its diurnal cycle of rising and falling flow volumes. However, the River Forecast Center foresees the river will continue to rise to more than 1,000 cfs through March 23, when a cooling trend calms things down March 25 through 31 and the river could remain above 600 cfs.

A pair of snowpack measurement sites operated by the Natural Resources Conservation Service confirm the record flows in the Elk are attributable to snowmelt above 9,000 feet, Nielson agreed.

The Lost Dog site, at 9,320 feet of elevation on the edge of the Zirkel Wilderness, has lost 3 inches of snow water equivalent since March 16, leaving it at 113 percent of median for the date. The Elk River measuring site, at 8,700 feet, has also lost 3 inches of snow water equivalent in the same timeframe, and snowpack there stands at 93 percent of median.

Nielson pointed to the Tower measuring site on the summit of Buffalo Pass northeast of Steamboat Springs as evidence that snowmelt has not begun at the highest elevations in the Park Range. The water content of the snowpack there, at 10,500 feet, has not changed more than a fraction of an inch since March 7.

To reach Tom Ross, call 970-871-4205, email tross@SteamboatToday.com or follow him on Twitter @ThomasSRoss1

MONTANA:

Northeastern Montana flooding closes roads, threatens property and sets record (Billings Gazette)

By JORDON NIEDERMEIER Billings Gazette

Warm weather brought flooding to northeastern Montana over the weekend and at least one waterway reached record depths.

Big Muddy Creek near Antelope peaked at 17.84 feet Monday morning. That depth is more than five feet above the flood stage of 12 feet and represents a new flood standard. The stream's previous record flood depth was 17.37 feet, set on April 14, 1982, said Tanja Fransen, meteorologist at the National Weather Service's Glasgow station.

Before the weekend flooding, Big Muddy Creek was between 5 and 7 feet deep. The Poplar River also flooded in Roosevelt County, covering some roads with water. It rose from about 3.5 feet to a peak of roughly 15.5 feet around noon on Saturday.

"I always say no two floods are the same, and this has proven me correct," Fransen said.

She said the flooding was caused by a combination of factors. A previous thaw in February resulted in heavy slush on the waterways, and a subsequent cold snap created a thicker layer of ice than the one that preceded the warm-up. Culverts were filled with heavy ice and slush.

The problem was compounded by the high level of soil saturation ahead of the winter. Now that it's thawing out, the ground is not absorbing runoff.

Ice on the Poplar River also began breaking up with the recent warm weather. An ice jam formed near Poplar where the river feeds the Missouri River because the latter waterway is still frozen. Fransen said flooding was reported on several major roadways, including Highway 2 in Roosevelt and Valley County, Highway 248 and Highway 13 north of Wolf Point. Conditions improved on the state highways over the weekend but have deteriorated on secondary roads.

"We're not totally out of the woods yet, but we should start with some improvement in the next 24 hours," Fransen said.
Bainville, which sits in a large flat valley formed by an ancient river bed, was surrounded by water over the weekend as runoff made its way to the nearby Missouri River, said Dennis Portra, the town's mayor.

Portra said the flooding closed roads on the edges of town. Water approached homes as it rose and multiple temporary dikes were constructed to prevent property damage. In one case, high water prevented a family from accessing their home over the weekend. However, the house wasn't threatened by water.

"Things have gone pretty well," Portra said. "We have a tremendous amount of water, but I think we're going to come out all right."

Floodwaters wipe out popular Jerry Johnson hot springs pool (Missoulian)

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Usually large enough to accommodate at least a dozen soakers, the main pool at Jerry Johnson hot springs in Idaho has been reduced by floodwaters to a shallow depression just big enough for one or two people.

LOLO PASS, Idaho – Sometime in the last week, perhaps as recently as Saturday, floodwaters washed away the main soaking pool at the popular Jerry Johnson hot springs in Idaho.

Located a short hike from Highway 12 just over the border from Montana, the hot springs are visited by hundreds of people each week.

On Sunday, several dozen visitors seem surprised to find the pool had been obliterated. There are several pools in the area, but the main pool bore the brunt of the flooding.

Usually big enough to easily hold at least 12 people, it had been wiped away. Someone had apparently clawed away enough mud and sand to make a shallow depression big enough for two people in lukewarm water.

An upper pool was still usable on Sunday, but the floodwaters appeared to have altered the springs to make the water much cooler than normal. A group of soakers huddled toward one side of the pool to keep warm. A large stream had carved out a new channel in the mud in the area.

According to the U.S. Natural Resources Conservation Services, the Lolo Pass area received 3.5 inches of rainfall between March 13 and March 20. By comparison, the Missoula Valley averages about 14 inches of rainfall in a typical year.

According to the U.S. Geological Service, the Lochsa River experienced a rapid influx of water from March 13 until March 16. Data shows that the Lochsa was running at about 4,500 cubic feet per second on March 13 then hit nearly 20,000 cubic feet per second on March 17. It was still running at about 12,000 cfs on Sunday.

The hot springs are managed as a recreation site by the Nez Perce-Clearwater National Forests in Idaho. Margaret Riley at the Powell Ranger Station said that her office hadn't received any reports of the damage as of Monday afternoon, indicating that the event occurred fairly recently.

Riley said she didn't know the process for repairing the pool and needed to speak with more of her colleagues. In the past, the pools have been dug out and modified slightly on an ad-hoc basis by volunteers.

NORTH DAKOTA:

Now is the time to consider flood insurance, North Dakota commissioner warns (Forum News Service/Bismarck Tribune)

April Baumgarten Forum News Service (Bismarck Tribune)

North Dakota's insurance commissioner is encouraging residents who face major flooding to be prepared.

The warning from Commissioner Jon Godfread comes ahead of spring flooding, with parts of northeast North Dakota, especially near Grafton, Devils Lake and in Cavalier and Pembina counties, having the highest potential for flooding in the U.S., according to the National Weather Service. Devils Lake is expected to rise 3 to 4 feet, putting nearly 40,000 acres of land at risk.

Grafton will likely see major flooding and has a 25 percent chance of seeing a record-setting flood. The Park River in Grafton had a record crest of 16.16 feet in May 2013.

The major flood stage for the river begins at 14.5 feet, which the river should surpass later this spring. It's possible the river could rise as high as 19.7 feet.

Devils Lake, which is expected to see record runoff, could begin to rapidly rise from April into May, averaging a half-foot or more per week before it peaks, possibly above the June 2011 record elevation of 1,454.3 feet, according to the weather service.

The flood risk reduces to the south along the Red River, as there is little to no snow left south of Grand Forks.

Godfread warned residents in a news release that traditional homeowners insurance does not cover flood damage. When residents sign up for flood insurance, it takes 30 days to kick in, Godfread said in the release.

"I urge all North Dakotans to take the time to learn about how they can better protect themselves and their property from the destruction brought on by a flood," he said, adding it is "a critical time of year for consumers to talk to their insurance agent about their policy's limits and what other coverage options they have."

Flood insurance is available to homeowners, renters and businesses through the National Flood Insurance Program, which is managed by the Federal Emergency Management Administration.

The weather service may release an updated flood outlook on Friday.

Flood insurance: To buy or not to buy? (WDAZ-TV, Grand Forks)

http://www.wdaz.com/news/north-dakota/4237658-flood-insurance-buy-or-not-buy

By Jon Tweet on Mar 20, 2017 at 5:06 p.m.

GRAND FORKS, ND (WDAZ-TV) - Fighting a flood before it starts.

The North Dakota Insurance Commissioner wants you to buy flood insurance, but there are some important things to know.

A local agent reminds us National Flood Insurance only kicks in if FEMA determines your area flooded. The price is determined by the flood zone you are in.

Flood insurance doesn't cover water pump failure or other non-flood related water damage to your home.

The agent says the most important thing to know ahead of flood season, is that if you think you need it, you don't need to wait.

"The big thing with flood insurance though that I would always caution people on is 'don't wait too long' because flood policies don't take effect for 30 days after application," said Randy Fenley of State Farm Insurance. "So this is kind of getting to be one of those times where you either need to pull the trigger or take your chance on what the spring's going to be like."

Company: Dakota Access pipeline on track, despite "threats" (Bismarck Tribune)

Mar 20, 2017 Updated 11 hrs ago (AP story in Bismarck Tribune)
BISMARCK, N.D. (AP) — The company building the Dakota Access pipeline said Monday that the project remains on track to start moving oil this week despite recent "coordinated physical attacks" along the line.

The brief court filing late Monday from Dallas-based Energy Transfer Partners didn't detail the attacks, but said they "pose threats to life, physical safety and the environment."

The filing cited those threats for redacting much of the rest of the 2½-page report, but ended: "These coordinated attacks will not stop line-fill operations. With that in mind, the company now believes that oil may flow sometime this week."

A spokeswoman for the company declined to elaborate on the types of attacks. A spokesman for the Morton County sheriff's office, the center of months of sometimes violent conflicts between protesters and law enforcement, didn't immediately respond to an email.

The Standing Rock and Cheyenne River Sioux tribes have battled the $3.8 billion pipeline in court for months, arguing it's a threat to water and their right to practice their religion.

The company has maintained the pipeline, which will move oil from North Dakota's Bakken oil field more than 1,000 miles across four states to a shipping point in Illinois, will be safe.

An appeals court on Saturday refused a request from the tribes for an emergency order to prevent oil from flowing through the pipeline.

The tribes have challenged an earlier ruling by U.S. District Judge James Boasberg not to stop final construction of the pipeline, and they wanted the appeals court to halt any oil flow until that's resolved.

The appeals court said the tribes hadn't met "the stringent requirements" for such an order.

The tribes had asked Boasberg to direct the Army Corps of Engineers to withdraw permission for Energy Transfer Partners to lay pipe under Lake Oahe in North Dakota, which the Corps manages for the U.S. government. The stretch under the Missouri River reservoir is the last piece of construction for the pipeline.

The company is wrapping up pipe work under the lake and had said oil could start flowing between Monday and Wednesday.

The tribes' appeal rests on the religion argument. Boasberg has said he doesn't think the tribes have a strong case on appeal. He also said ETP would be "substantially harmed" by a delay in pipeline operations.

Environment activists deny attacking Dakota Access pipeline (AP, Bismarck Tribune)

Mar 21, 2017 (AP story in the Bismarck Tribune)
BISMARCK, N.D. (AP) — Environmental activists who tried to disrupt some oil pipeline operations in four states to protest the Dakota Access pipeline say they aren't responsible for any recent attacks on that pipeline.

Dakota Access developer Energy Transfer Partners said in court documents Monday that there have been "coordinated physical attacks" along the $3.8 billion pipeline that will carry oil from North Dakota to Illinois. Company officials haven't responded to AP requests for more details.

Jay O'Hara with the Climate Disobedience Center told The Associated Press Tuesday that Climate Direct Action wasn't involved, and he isn't aware of anyone claiming responsibility.

In October, Climate Direct Action activists tried to shut valves on oil pipelines in North Dakota, Minnesota, Montana and Washington. But O'Hara says the group has no plans to target Dakota Access.

SOUTH DAKOTA:

DUNE project in Lead would be among most sophisticated projects ever (Rapid City Journal)

Tom Griffith Journal staff (Rapid City Journal)
Mar 19, 2017
LEAD | Carve a few massive caverns nearly a mile below the surface of the Black Hills, haul off hundreds of thousands of tons of crushed rock, add the largest refrigeration system ever, then install the most sensitive particle detectors known to man, and you'd be ready to host what is arguably the most sophisticated science experiment ever staged on the planet.

That's exactly what the Sanford Underground Research Facility and the Fermi National Accelerator Laboratory are planning with the billion-dollar Deep Underground Neutrino Experiment.

“This is the first time an experiment of this scale has occurred anywhere in the world, and it’s going to be done right here,” Fermilab Deputy Project Manager Joshua Willhite told 100 Northern Hills residents during an informational meeting in Lead on Monday night.

The Deep Underground Neutrino Experiment, commonly referred to as DUNE, represents a scene straight out of a science fiction movie. As envisioned, scientists at the Fermilab near Chicago will fire a beam of tiny neutrinos at near-light speed that will carry the subatomic particles through solid rock 808 miles away to the Black Hills of South Dakota, where scientists deep underground at the Sanford Lab hope to “catch” the particles using sophisticated detectors.

The groundbreaking particle physics experiment currently has 960 collaborators from 163 institutions in 31 nations, Willhite said Monday. Sixty percent of those scientists are based outside the U.S., and that number is expected to grow, he noted.

“This has broad international support,” Willhite said.

Cutting-edge science

On its own, the $300-plus million investment for the experiment at the Sanford Lab in Lead represents the largest single project in the history of South Dakota, says Sanford Lab Director Mike Headley.

More important to scientists working around the world to unravel the mysteries of the universe, the experiment has the potential to advance scientific knowledge and yield technological advancements on a par with the race to the moon in the 1960s, project advocates contend.

“DUNE collaborators hope to learn the role neutrinos play in the evolution of the universe; better understand how supernovae produce the heavy elements— iron, calcium, carbon and others — that are necessary for life; how much mass the neutrino has; and why the universe consists of matter rather than antimatter,” the Lab’s Communications Director Constance Walter said Thursday. “Any, or all, of these discoveries will transform our understanding of the universe and advance physics to a whole new level.”

Neutrino research is a competitive field, with several different experiments around the globe looking for the same things DUNE hopes to discover, Walter explained. The DUNE team of scientists and engineers is developing cutting-edge technology on a scale much larger than anything that has been developed for neutrino experiments, she said.

“In its space race with the Soviet Union, NASA discovered new technologies and gained incredible knowledge, which eventually landed American astronauts on the moon,” Walter added. “With the development of new and the enhancement of existing technologies for DUNE and the Long-Baseline Neutrino Facility, we could see much the same thing in physics research.”

Closer to home, the federally financed experiment could have economic benefits unparalleled in South Dakota history, according to study findings presented at Monday’s 70-minute presentation. Those "credible and conservative" estimates of the local economic impacts of the projected construction and operations of Long-Baseline Neutrino Facility and DUNE in South

Dakota and Illinois took into account capital projects and direct spending, as well as additional business activity, jobs and payroll supported by that spending from 2016 through 2026.

During that period, the economic impact of LBNF/DUNE in the western South Dakota region will total $860 million in output and $330 million in earnings for local residents, according to the April 2016 study. The employment prospects for local residents will peak at more than 1,800 jobs in 2020, the study reported.

The total fiscal impact of LBNF/DUNE for the state of South Dakota is projected at $10.6 million in tax revenue from 2016 to 2026, peaking at $2.5 million in annual revenue in 2020, the study concluded.

Meanwhile, the study found the economic impact of LBNF/DUNE on the Chicago region would total $1.1 billion in output and $570 million in earnings for local residents. The impact on jobs for Illinois would peak at nearly 2,000 in 2024. The total fiscal impact for the state of Illinois would be $21 million in tax revenue from 2016 to 2026, peaking at $2.7 million in annual revenue in 2024, according to the study.

“This will be one of the largest science mega-projects ever to occur on U.S. soil,” Headley said Monday night. While already hosting several major underground experiments and an underground campus for students at Black Hills State University in Spearfish, Sanford Lab’s 163 current employees are gearing up for the new experiment, he and Willhite noted.

UTAH:

No FEMA-related stories

WYOMING:

As Snowpack Melts, Flooding Could Become Major Problem (Wyoming Public Radio)

By CAROLINE BALLARD • 44 MINUTES AGO

Wyoming has already seen ice jam flooding this winter on the Bighorn River, and flood watches and warnings have been issued for communities around the Western Mountains in the last few weeks. With sustained warm temperatures and high snowpack, flooding could continue to be a problem this spring.

Diana Herrera is the senior flood insurance specialist with FEMA Region 8, which encompasses the Rocky Mountain West. She said people should be aware of their risk for flooding, and that there are a number of things that can reduce that risk.

"You can use sandbags. You can make yourself a temporary levee with Visqueen and plywood and sand to help give you a little barrier around the house. So there are a number of opportunities you can use to help reduce the risk for flooding. Right now we just don't know what it's going to do," said Herrera.

And if Herrera said purchasing flood insurance, which is sold separately from homeowners or renters insurance, could take a while.

"There's also a thirty day wait period in order to buy flood insurance. So if you see the water coming down the creek you're too late. So talk to your insurance agent, get a quote, get your policy in place before the rest of that snow pack comes down," said Herrera.

Herrera said it's difficult to predict what will happen with the snowpack, but that it could be similar to 2011 when the state saw extensive flooding. To find your flood zone risk, visit www.floodfind.com.

Landslide Crumbles Highway 89 (Jackson Hole News and Guide)

March 20, 2017

Commuters driving to Jackson from Star Valley this morning should expect delays due to a landslide that is fracturing a stretch of U.S. 89/26.

Wyoming Department of Transportation officials were able to reopen a deteriorating stretch of Snake River Canyon on Saturday afternoon by creating a temporary lane, allowing two-way traffic to flow at a reduced speed around damage caused by the landslide.

"Two-way traffic is flowing, so I guess we're OK," WYDOT Maintenance Foreman Bruce Daigle said Sunday. "Our lane we built is working out well."

The 100-foot stretch of highway that's cracking is just a few miles south of Hoback Junction and has been expanding since Friday when it was discovered. Fissures in the ground were up to 4 inches wide and 2 feet deep.

The Snake River Canyon was closed from 8 p.m. Friday until about 3 p.m. Saturday while crews from Jackson, Pinedale and Afton built the temporary lane.

That delayed many drivers, including D.J. Olsen, who had to sleep in his U-Haul at a nearby turnout.

"It's been one crazy time for me," Olsen said. "I broke my phone as I was moving so I had to go back to my dumb phone. I don't have service so I can't watch any Netflix or anything so I'm just sitting here enjoying the view."

Olsen was on the last stretch of his move from Casper to Blackfoot, Idaho, when he was stopped by the road closure around midnight Friday, where he was stuck for almost 15 hours.

"I can't go over Teton Pass because I have a trailer," Olsen said. "I went and got doughnuts and a hot beverage."

The new lane that allowed the road to reopen was made by filling the drainage ditch with dirt and laying down two types of geogrid, which is used to reinforce soils. Gravel was placed on top, smoothed and then covered with a road base. The new lane will have to be maintained every few days because of the heavy traffic expected through Snake River Canyon, Daigle said.

The landslide is being called the Twin Pine Slide because of two big pine trees that stand nearby.

"This spot has had a dip in it for years," Daigle said. "But this year's storm events I think has really pushed this along."

The road is crumbling between two retaining walls, in the space where a deer jump was put. It's a steep hillside down to the Snake River, and the extreme moisture this year has caused the earth to soften and move.

"I think with the moisture this year it finally got wet enough that it's going downhill," WYDOT geologist Kirk Hood said. "Gravity works."

The movement is a textbook landslide.

"With all the moisture in the ground, the dirt just lost sheer strength and it's just failing and sliding toward the Snake," Hood said. "It's a true landslide."

Drivers should expect frequent closures and delays while crews continue to monitor the landslide, Daigle said.

Early Wildfire In Tongue River Canyon Investigated (Associated Press)

March 20, 2017

SHERIDAN, Wyo. (AP) — Bighorn National Forest officials are investigating an early-season wildfire in the Tongue River Canyon west of Sheridan.

They say the fire was human-caused.

A hiker reported the fire on a dry, south-facing slope Sunday afternoon. The fire burned about 30 acres of timber and grass but firefighters got the flames under control.

They're expecting rain in the area Monday and Tuesday.

Forest officials urge campers to be careful with campfires.

FEMA-RELATED STORIES:

Trump's cut to flood map program could trigger insurance rate hikes: group (Reuters)

By Suzanne Barlyn

A proposal by the Trump administration to cut $190 million in funding for updating U.S. maps of flood-prone areas would trigger higher insurance rates or more homebuilding in risky locations, a consumer group said on Monday.

Flood-mapping provides important details about where it is safe to build, whether flood insurance is needed and how to price coverage, Robert Hunter, director of insurance for the Consumer Federation of America, said in a statement.

Slashing funding for the National Flood Insurance Program's (NFIP) retooling of U.S. flood maps will lead to relying on old maps and construction in areas that are now flood prone, or hiking insurance premiums to pay for new maps, Hunter said.

The White House 2018 budget, unveiled last Thursday, would eliminate a $190 million "discretionary appropriation" for the National Flood Insurance Program's (NFIP) updating of U.S. flood maps and "explore other more effective and fair means of funding flood mapping efforts."

Costs for mapping have been shared by insurance policyholders and the federal government for the past 15 years, said a spokeswoman for the Federal Emergency Management (FEMA), which operates the flood insurance program.

"The president's budget directs us to explore avenues to shift these costs away from general appropriations," the FEMA spokeswoman said.

Updating U.S. flood maps is seen by consumer and insurance industry advocates as a necessary step toward modernizing the U.S. flood insurance market.

The White House 2018 budget is the first step in a long process that will be debated by U.S. lawmakers.

The NFIP, whose authorization is set to expire in September, could face other sweeping changes. The program is $24.6 billion in debt to the U.S. Treasury Department, the FEMA spokeswoman said.

Insurance industry groups are also concerned about the mapping proposal. "Understandably, we're all concerned about the potential to undermine efforts to modernize the maps," said Leigh Ann Pusey, president and chief executive officer of the American Insurance Association.

Still, the budget process is at an early stage, Pusey said.

U.S. Sees Furious Start To The Wildfire Season (USA Today)

By Doyle Rice

March 20, 2017

Wildfires have charred a whopping 2 million acres across the U.S. so far this year, an area larger than the state of Delaware.

It's a gigantic number for so early in the season, roughly 10 times the average and also the most acres burned as of mid-March since 2006, according to spokeswoman Jessica Gardetto of the National Interagency Fire Center in Boise, Idaho.

Many of the blazes have been massive grass fires in Oklahoma and Kansas, which have both set records for number of acres burned in March, Gardetto said.

An Oklahoma truck driver died two weeks ago in Clark County, Kan., due to smoke inhalation from a fire, the Kansas state fire marshal's office reported. There have also been at least seven fire-related injuries, two of whom were first responders.

In Kansas, most fires are started by "controlled" or planned fires that either rekindled or spread out of control, according to Kevin Doel, a spokesman with the Kansas State Fire Marshal's office. (However, the causes of this year's blazes have yet to be determined.)

So far this year, approximately 650,000 acres have burned, Doel said, though that number may change as the fire data are further analyzed.

In parched Oklahoma, drought conditions now encompass three-quarters of the state, the U.S. Drought Monitor said. Oklahoma City has received a paltry 0.01 of an inch of rain so far this month, the National Weather Service said, which is less than 1% of the city's typical March precipitation.

Ongoing warm, dry, breezy weather will bring ideal conditions for fires to spread in Oklahoma on several days this week, the weather service predicted.

Along with drawing hot, dry air out of Mexico, strong south to southwest winds will increase the wildfire threat across the region this week by quickly spreading any small fires that break out over the southern and central High Plains, AccuWeather said.

"The wildfire danger will ramp up on Wednesday with the worst conditions likely on Thursday," according to AccuWeather meteorologist Brett Anderson.

Farther west, the Sunshine Fire, which forced hundreds of people from their homes in Colorado on Sunday, was due in part to tinder-dry conditions there. While March is typically Colorado's snowiest month of the year, "one of the firefighters said it feels like June up there," Boulder County Sheriff's Cmdr. Mike Wagner said, when referring to the fire zone. "There is no moisture," he said.

Wagner called the dry conditions "concerning" and said they could contribute to a major fire season this summer. "June is a more typical fire season, hotter and drier," he said. "But around here it seems that fire season goes all year long."

Man-made climate change has been cited as a cause of the lengthening wildfire season in the West, several scientific studies have shown, and has increased the likelihood of extreme fires there.

From: Welch, Randy
Sent: 22 Mar 2017 15:51:22 +0000
To: R8 All Hands
Cc:
(b)(6) @state.co.us';(b)(6) @state.co.us';(b)(6) @state.co.us'(b)(6) (@mail.mil';(b)(6) @mail.mil';(b)(6) @nd.gov';(b)(6) @state.sd.us';(b)(6) @state.sd.us';(b)(6) @utah.gov';(b)(6) @wyo.gov';(b)(6) @acf.hhs.gov';(b)(6) (b)@usace.army.mil';(b)(6) @usace.army.mil';(b)(6) @state.mn.us';Peterson, Mark J;''Pinheiro, Ronald (HHS/ASPR/OPEO)'
(b)(6) @hhs.gov)'(b)(6) @hhs.gov';(b)(6) @hhs.gov';(b)(6) @sba.gov';(b)(6) @sba.gov';Nelson, Jason;(b)(6) @fs.fed.us';Alexander, Daniel;(b)(6) @atf.gov';(b)(6) @aveshka.com';Carlson-Sherbo, Diana
Bcc:
(b)(6) @gmail.com';(b)(6) @bresnan.net';(b)(6) @aol.com';(b)(6) @hotmail.com';(b)(6) @msn.com';(b)(6) @aol.com';(b)(6) @commspeed.net'(b)(6) @lapisarts.com';(b)(6) (@hotmail.com'(b)(6) @yahoo.com'(b)(6) @charter.net';(b)(6) @hotmail.com';(b)(6) @me.com';(b)(6) @gmail.com';Sturner, Barb;(b)(6) @yahoo.com';(b)(6) @hotmail.com';(b)(6) @yahoo.com';(b)(6) (b)(6) @usace.army.mil';(b)(6) @ucdenver.edu';(b)(6) @btinet.net';(b)(6) @aol.com';(b)(6) (b)(6) @bvsd.org';Red Feather, Glenda;(b)(6) @gmail.com';(b)(6) @gmail.com';Stephens, Holly;Castel, Joseph-Richard;Bonza, Dale;Coley, Robert
Subject: FEMA Region 8 clips for Wednesday 3-22-17
Attachments: R8 Clips 03-22-17.docx

Region VIII Clips
Wednesday, March 22, 2017

ANALYSIS

- *Colorado:* The Colorado DOT plans to open the rebuilt Big Thompson Canyon road by Memorial Day… The Sunshine Fire was apparently started by a campfire by transients.
- *Montana:* No FEMA-related stories
- *North Dakota:* An AP story reports on attacks against the Dakota Access Pipeline in South Dakota and Iowa, and gives an overview of attacks on pipelines.
- *South Dakota:* No FEMA-related stories
- *Utah:* State environmental regulars say they have been fully compensated for their initial costs in responding to the 2015 Gold King Mine spill, but they are considering a lawsuit against the federal government for further costs… The *Deseret News* reports how Nibley responded to flooding, including its reachout to residents and use of GIS technology.
- *Wyoming:* Recent snow has added to the potential for flooding in west and central Wyoming in May/June… Wyoming Public Radio carried a story about researchers exploring a new way to fight oil spills – burn them hotter, faster and cleaner.
- *Other FEMA-related stories:* The director of the National Hurricane Center will leave his position for the Weather Channel… A Los Angeles fault line is more dangerous than previously recognized, a new study says.

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STORIES

COLORADO:

U.S. 34 nearing goal to reopen by Memorial Day (Loveland Reporter-Herald)

By The Loveland Reporter-Herald
PUBLISHED: March 22, 2017
Construction crews have not changed their expectation of when U.S. 34 will reopen in the Big Thompson Canyon, but as Memorial Day gets closer, state officials are getting excited about the progress made.
Colorado Department of Transportation and Kiewit Infrastructure Co. crews have been working on the three-year permanent-repair project on the highway damaged by the 2013 flood.
During the first phase of construction, the road has been closed between mile markers 77 (just east of Drake) and 80 (near Cedar Cove).
However, CDOT officials wanted to ensure the canyon would be open to drivers during the busy summer tourist season, after hearing input from residents and business owners.

Sunshine Fire in Boulder County likely caused by campfire at transient camp, sheriff's office says (KMGH Channel 7, Denver)

Blair Miller, Jaclyn Allen KMGH Channel 7 News
2:27 PM, Mar 21, 2017
BOULDER COUNTY, Colo. – The Sunshine Fire that burned 74 acres in Sunshine Canyon after it started Sunday morning was likely caused by a campfire at a transient camp, authorities said Tuesday.
The Boulder County Sheriff's Office says the fire is estimated to have cost $725,000 already. It said the campfire suspected as the fire's origin was west of the Centennial Trailhead on Boulder Open Space & Mountain Parks property.
It said that the campfire was in between some large rocks that "appeared to have been placed into a hastily fashioned, ad hoc campfire ring of sorts." A news release from the sheriff's office says

that fire investigators found moisture near the fire's origin point and discovered that dirt had been kicked on top of the original campfire in a likely attempt to try to put it out.
But the fire flared quickly early Sunday, waking nearby residents who were forced to evacuate. It spread to 74 acres by Monday evening, when authorities said it was 100 percent contained. Mop-up efforts continued at the site Tuesday, however.
"Based on circumstances around the area, things we know, we suspect that it's a transient camp or was a transient campsite at one point," said Cmdr. Mike Wagner, a spokesman for the Boulder County Sheriff's Office.
It's an all too familiar story for people in Boulder County.
Last July, hundreds of acres burned in the Cold Springs Fire, which was also started by people camping illegally.
"There's a campsite right down the road here. There are several around — I see people up in the morning that are smoking up there," said Fred Moore, who was evacuated during the Sunshine Fire and wants to see the issue of homeless camping address before it's too late. "It's a growing concern. We're all very concerned about this area right now."
Sarah Huntley, a spokeswoman for the City of Boulder, said that park rangers have long been aware of the camping issue, issuing 291 illegal camping summons and 40 illegal campfire summons between 2014 and 2016.
"A situation like this can imperil homes, business and others in the nearby vicinity," Huntley said.
She said Boulder is also planning to hire four seasonal rangers to assist with direct code enforcement.
But the City is also asking for help from the public in reporting illegal campfires.
There is also a Homeless Working Group that will make recommendations about strategies to deal with the issues on May 16.
Meanwhile, the sheriff's office said it will increase patrols near the fire area.
The sheriff's office says no suspects have been identified as having caused the fire so far, but that investigation is ongoing. It is asking anyone with information about the fire and its origins to contact Boulder County Sheriff's Office Detective Jason Shatek at 303-441-3641 or Northern Colorado Crime Stoppers at 1-800-222-TIPS.
Camping within Boulder's open spaces is prohibited, as are campfires. The county is also currently under Level-I fire restrictions.
No structures or homes were damaged in the fire, nor were any injuries reported.

MONTANA:

No FEMA-related stories

NORTH DAKOTA:

Dakota Access pipeline vandalism highlights sabotage risks (AP, Bismarck Tribune)

By BLAKE NICHOLSON and STEVE KARNOWSKI Associated Press (In the Bismarck Tribune)
Mar 22, 2017
BISMARCK, N.D. (AP) — The developer of the Dakota Access pipeline has reported "recent coordinated physical attacks" on the much-protested line, just as it's almost ready to carry oil. Texas-based Energy Transfer Partners didn't give details, but experts say Dakota Access and the rest of the nearly 3 million miles of pipeline that deliver natural gas and petroleum in the U.S. are vulnerable to acts of sabotage.
It's a threat that ETP takes seriously enough that it has asked a court to shield details such as spill response plans and features of the four-state pipeline that the company fears could be used against it by activists or terrorists.
Here is a look at some pipeline security issues:

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RECENT ATTACKS
Authorities in South Dakota and Iowa confirmed Tuesday that someone apparently used a torch to burn a hole through empty sections of the pipeline at aboveground shut-off valve sites.
Mahaska County Sheriff Russell Van Renterghem said the culprit in Iowa appeared to have gotten under a fence around the facility, but Lincoln County Sheriff's Deputy Chad Brown said the site in South Dakota wasn't fenced.
The Iowa incident was discovered March 13 and the South Dakota incident Friday.
Pipeline operators are asked to report security breaches to the National Response Center. Data on the center's website show no reports from ETP this month.
The $3.8 billion Dakota Access pipeline runs 1,200 miles through the Dakotas, Iowa and Illinois.

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HOW DO YOU ATTACK A PIPELINE?
Because pipelines mainly run underground, aboveground shut-off valves are natural targets, according to Jay O'Hara, a spokesman for the environmental group Climate Direct Action. That group targeted valves on pipelines in October in North Dakota, Minnesota, Montana and Washington state, though the pipeline companies said activists didn't succeed because none of the sites were operating when the attacks happened.
Explosives, firearms and heavy machinery also have been used to try to sabotage pipelines.
Securing pipelines is difficult because they often travel long distances through remote and even uninhabited territory, said Kelly Sundberg, a professor at Mount Royal University in Calgary, Alberta, who studies energy infrastructure security and environmental crime.

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THE DANGER
Sundberg said "it's stupid and dangerous" to tamper with pipeline shut-off valves.
Modern oil pipelines are "incredibly sophisticated" systems that move huge volumes of petrochemicals at high pressures, he said. Simply closing a valve can cause the pressure upstream to increase quickly, creating a significant risk of a spill that endangers the environment and anyone in the area where the pipe suddenly bursts, he said.
In response to the October incidents, federal regulators issued a bulletin warning that tampering with pipeline valves "can have significant consequences such as death, injury, and economic and environmental harm."
Sundberg also said that it's ironic for people who say they're concerned about the environment to take an action that could cause an environmental disaster.

But O'Hara said: "The hypocrisy really lies in the pipeline corporations who say their pipelines are safe, say leaks don't happen. They blame activists who are trying to stop global cataclysm by taking action to point out what they do every day, which is leak and spill."
Someone who targets a pipeline facility in the U.S. could face up to 20 years in prison.

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WHO'S RESPONSIBLE FOR THE RECENT ATTACKS?
No suspects have been identified in either state and no group has claimed responsibility
O'Hara told The Associated Press that Climate Direct Action wasn't involved in any actions against the Dakota Access pipeline.
Attorneys for the Standing Rock and Cheyenne River Sioux tribes, which are leading the legal battle against the pipeline, said the tribes don't condone acts of violence against pipeline property.

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HOW FREQUENTLY DOES PIPELINE SABOTAGE OCCUR?
Not very often, Sundberg said. It happens more frequently in Canada than the U.S. It's generally committed by people trying to make an environmental point. It would be "very scary" if terrorist groups tried it in North America, he said.

Some of the worst incidents in the U.S. were on the Trans Alaska Pipeline. Vandals blew up a section in 1978, spilling about 16,000 barrels of oil near Fairbanks. In 2001, a drunken man fired a hunting rifle into the pipeline near Livengood, causing more than 6,000 barrels to spray out.
Some of the most notable incidents in Canada happened in the 1990s and 2000s in Alberta and British Columbia. A series of bombings in 2008-09 targeted pipelines in British Columbia.
Weibo Ludwig, an Alberta man who crusaded against the extraction of "sour gas" containing high amounts of hydrogen sulfide, was convicted in several of the 1990s acts of vandalism. He was arrested but never charged in the later attacks.
Pipeline sabotage happens with some regularity in war zones. Iraqi insurgents, Colombian rebels and Mexican guerrillas all have claimed responsibility for pipeline attacks in recent decades.

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Karnowski reported from Minneapolis. Associated Press news researcher Jennifer Farrar contributed to this story from New York, and reporter David Pitt contributed from Des Moines, Iowa.

SOUTH DAKOTA:

No FEMA-related stories

UTAH:

Utah reimbursed for Gold King Mine spill's initial costs; lawsuit weighed (Deseret News and Associated Press)

March 21, 2017
Matt York, Associated Press

SALT LAKE CITY — State environmental regulators said Tuesday they have been fully compensated for their initial costs incurred during the response to the 2015 Gold King Mine spill, but a lawsuit against the federal government remains under consideration.

Overall, reimbursement payments from the U.S. Environmental Protection Agency come to about $464,000, fully compensating the Utah Department of Environmental Quality for its initial response.

Utah lawmakers set aside $500,000 during the session that ended earlier this month to pay for litigation, if necessary, against the federal agency.

"We are currently investigating and evaluating the options available to the state, including ongoing negotiations with the EPA," said Daniel Burton, a spokesman with the Utah Attorney General's Office.

Burton added that $500,000 has been set aside as the office continues to review potential legal action.

Last month, attorneys with the U.S. Department of Justice asked a federal judge to dismiss lawsuits brought by New Mexico and the Navajo Nation as a result of the spill, which sent 3 million gallons of water contaminated with heavy metals into three states, including Utah.

An EPA-contracted work crew breached the Gold King Mine, sending a release of mustard-colored sludge into the Animus River near Silverton, Colorado. From there, the sludge — filled with lead and arsenic — spread out into a plume that sparked an intense response by states. The spill contaminated the San Juan River after it entered Utah and ended at Lake Powell, where the full impact of the sediment deposited is being evaluated.

In response to the lawsuits, Justice Department attorneys argued that the EPA had immunity from the spill, which New Mexico and other critics insist has been minimized by the federal agency in terms of the environmental impact and duration of the remediation.

The spill required Utah water quality scientists to return to the San Juan River in 2016 to monitor how much metals-laden sediment might be churned up with spring runoff. Additional monitoring is expected to be carried out this spring.

Congress passed legislation that directs up to $4 million to be paid to states and tribes and other entities for longtime monitoring of impacted waterways. The law went into effect in 2016.

Other entities receiving reimbursement via the Utah Department of Environmental Quality include San Juan County and the Utah Department of Natural Resources.

What would you do if your town was flooding? How Nibley, Utah responded

(Deseret News)

What would you do if your town was flooding? How Nibly, Utah responded.

The large accumulation of snow in the mountains of Utah, combined with an unseasonably warm January that included several rainstorms, led to a rapid melt on ground that was saturated and partly frozen. This resulted in a massive runoff and caused flooding in several Northern Utah communities, including the city of Nibley.

Nibley City Manager, David Zook, explains how the flooding began, "Nibley is an agricultural area with a lot of farm fields that were full of a couple feet of snow. When we then got a few inches of rain, the snow melted and those fields turned into lakes. And once the fields filled up, the lakes started flowing and didn't stop until the water hit houses."

With storm water basins overloaded and more water flowing above ground, dozens of Nibley residents had water seeping and even pouring into their basements.

"A lot of residents started pumping the water out with sump pumps," Zook explains. "Unfortunately, this overwhelmed both our storm water and sewer systems. The biggest concern was the sewer system."

Nibley typically has between 100 to 400 gallons per minute going through its sewer system. At the peak of the flooding, the city had 1800 gallons per minute gushing through. This was an extremely alarming situation because, during the flooding, Wellsville, the city next to Nibley, was experiencing waste water back up. Zook and other city officials became worried that this would also start happening to residents of Nibley. "We're talking about raw sewage in people's homes," Zook says with a grimace. "It's not pretty, so wanted to do everything we could to prevent it from happening in Nibley."

Once city officials realized the potential for wastewater back up, they knew they had to quickly get the word out to residents. Information was posted on the city's website and spread via social media. Nibley also utilized the community alert system, which sent out a phone call, text message and email to every resident in town with information about the emergency.

"Initially, we asked residents to stop putting their storm and ground water into the sewer, but we quickly saw that wasn't enough," Zook explains. "We then asked residents to completely stop using their sewer systems—to stop washing laundry, flushing toilets, taking showers, and washing dishes because our system was so overwhelmed."

Nibley residents responded admirably, each doing his and her part to help with the emergency, and the city immediately started pumping water from the low spots to try and alleviate the damage. Nibley was also able to track the flooding and monitor particular trouble spots using GIS technology.

"Cache County has a system that tracked the roads that were closed and the bridges that were out. The information was posted in real time online, so that residents could see what was going on," says Zook. "It was a great tool to both inform the public and allow government agencies to keep track of what was going on with the flooding."

It has been more than a month since the flooding emergency, but many parts of the city are still completely saturated with water and several homes are still pumping water from their basements. And while Mother Nature is impossible to control, what Nibley City learned during this emergency will make them even better prepared to handle a similar flooding situation in the future.

"We will do a better job of educating our residents," Zook says. "We already have a law on the books that says you can't pump storm or ground water into the sewer system. It costs money for the city to treat it, and, in a flooding situation, it could overwhelm our system. Of course, a lot of the water in this past flooding event didn't come from our residents. It came from manholes or other places where water was leaking into our sewer pipes. To prevent this from happening

again, Nibley is working hard to seal up those areas to ensure the system is as water tight as possible."

WYOMING:

Flood outlook rises in Wyoming (Casper Star-Tribune)

- BOB MOEN Associated Press
- Mar 21, 2017 Updated 11 hrs ago

CHEYENNE — The potential for flooding from the mountain snowpack melting this spring and early summer has increased in parts of central and western Wyoming, according to the latest spring flood forecast.

Portions of the North and South Forks of the Shoshone River in northwest Wyoming have been added to the river basins where there is a moderate to high potential for flooding when the snowmelt gets underway in earnest in May and June, the National Weather Service said in its flood potential outlook released Tuesday.

Moderate to high potential for flooding remains in the Big and Little Wind River basins in central Wyoming, the Upper Green Basin and Snake River Basin.

National Weather Service hydrologist Jim Fahey in Riverton said additional snow over the last month in the Absaroka Mountains in northwest Wyoming raised the flood potential for the North and South Forks of the Shoshone River west and southwest of Cody.

“It’s showing some really high snowpack and snow water equivalent values,” Fahey said.

Accumulated snowpack at the 8,500 to 10,000 foot elevation in the Wind and Upper Green basins are 170 percent to 180 percent of median.

“There’ll be some flooding with the some of the areas, especially on the Green and the Wind basins because of the amount of pack we have to melt, but most other areas if we melt it at a steady pace we’re not going to see big problems,” Fahey said.

The situation can change drastically if rain falls during the runoff, he said.

“That’s where we really have high water and it could be significant,” Fahey said.

Elsewhere, the risk of spring flooding is low and low to moderate around the Big Horn Mountains in north-central Wyoming and in southeast Wyoming.

Currently, the low-level snowpack — below 7,500 feet elevation — is rapidly melting out in many areas of the state because of above normal temperatures over the last week, according to Lee Hackleman, water supply specialist with the Natural Resources Conservation Service.

As a result, a flood watch has been posted through Wednesday night for portions of northwest, southwest and west-central Wyoming, including Jackson, Afton, Alpine, Thayne, Pinedale, La Barge, Big Piney, Farson, Kemmerer and Cokeville.

Researchers Test Hotter, Faster And Cleaner Way To Fight Oil Spills (Wyoming Public Radio)

By DEBBIE ELLIOTT · 10 HOURS AGO



View Slideshow 1 *of* 5

The Flame Refluxer is essentially a big copper blanket: think Brillo pad of wool sandwiched between mesh. Using it while burning off oil yields less air pollution and residue that harms marine life.

Courtesy of Worcester Polytechnic Institute

/

Originally published on March 22, 2017 7:06 am

On a cold and windy day off the coast of Alabama, a team of researchers from Worcester Polytechnic Institute in Massachusetts gathers, conducting the first test outside a laboratory for a potential new solution to a challenging problem: cleaning oil spills from water.

The invention, the Flame Refluxer, is "very simple," says Ali Rangwala, a professor of fire protection engineering: Imagine a giant Brillo pad of copper wool sandwiched between layers of copper screen, with springy copper coils attached to the top.

"The coils collect the heat from the flame and they transmit it through the copper blanket," Rangwala explains.

The goal is to make a hotter, faster and more complete burn that leaves less pollution.

Cleaning oil from water is a challenge, especially on the open sea. That was dramatically evident seven years ago, when a massive oil spill during the BP disaster polluted the Gulf of Mexico.

Responders typically use three cleanup methods in an oil spill: skimmers and oil booms to soak it up, dispersants to break it up, and fire to burn it up. That's called in-situ, or in-place, burning. The federal government is backing research on the Flame Refluxer, which supporters hope will provide an effective and ecologically sound alternative.

For the test — at the U.S. Coast Guard's Joint Maritime Test Facility on Little Sand Island in Mobile Bay — workers place the blanket inside a ring-shaped floating protective barrier, or fire boom, in a concrete pool. Oil is pumped from a nearby tank, and a long torch-like lighter sets it afire.

Before long, the fire is roaring with flames up to 12 feet high.

Rangwala monitors by video in a nearby research shed. "It's looking very good," he observes. Engineers are tracking the fire's heat and the emissions that are being captured by a strategically placed windsock downwind of the test burn.

The device potentially could reduce air pollution, as well as the layer of tar that remains after oil burns and sinks to the ocean floor, threatening marine life.

Rangwala says the copper blanket was designed to capture any remaining residue, but they're finding that the tar is burning off as well.

He says the test indicates a hotter, quicker, cleaner burn.

"Currently it's about three times faster than baseline," he says. "And the smoke is also grayish in color, compared to black."

The gray smoke, with less soot, is one of the things that Karen Stone is looking for.

"The lighter it is, the cleaner it is," says Stone, an oil spill response engineer with the federal Bureau of Safety and Environmental Enforcement.

The agency has invested $1.5 million to develop the Flame Refluxer, and is also paying for other new technology.

It's an effort to be better prepared to respond, after the 2010 BP disaster in the Gulf revealed some major gaps. For example, the country didn't have enough fire boom on hand and had to scramble to borrow supply from other countries.

"Once you have a spill, it really gets the attention," says Stone. "We realize, wow, we really need to advance it and make it better, improve it, for when it happens again."

Stone says the technology that is working in the Gulf environment also shows promise for responding to oil spills in the Arctic. But it is likely 5 to 10 years from being used in an actual disaster.

The next step is finding the best way to deploy and test it in open water.

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FEMA-RELATED STORIES:

National Hurricane Center Director Leaving For Weather Channel (Washington Post)

By Jason Samenow

March 21, 2017

The National Hurricane Center announced Tuesday morning that its director, Rick Knabb, is leaving and has accepted the position as on-air hurricane expert at the Weather Channel.

Knabb joined the Hurricane Center in June 2012; his last day will be May 12 this year, the Hurricane Center said.

During Knabb's tenure, the long-term trend toward more accurate hurricane track and intensity forecasts continued.

The Hurricane Center also introduced new products for communicating the risk of hurricane hazards such as storm surge at the very local level.

"I want to personally thank Rick for championing innovation at the National Hurricane Center during his five-year tenure as director," said Louis Uccellini, director of the National Weather Service. "Under his watch, NHC launched several new decision support tools to help America prepare for and respond to hurricane threats."

Knabb led the Weather Service through the busy 2016 hurricane season, which produced 15 named storms and seven hurricanes, including Matthew. Although he was fortunate in that no major hurricane, Category 3 or higher, struck U.S. shores during his tenure, Sandy, dubbed a superstorm for its size, crashed ashore in coastal New Jersey in his first full season on the job. Sandy was no longer technically a hurricane when it made landfall.

In all, Knabb presided over four hurricane landfalls on U.S. shores: Isaac (2012), Arthur (2014), Hermine (2016) and Matthew (2016).

Colleagues described him as competent and effective.

"My impression was that he was well-liked and respected there," said Brian McNoldy, a tropical weather researcher at the University of Miami and Capital Weather Gang's tropical weather expert.

"I've heard nothing but exceptional things about him," added Ryan Maue, meteorologist with WeatherBell Analytics. "In the last five years, everything has improved markedly."

When Knabb moves to the Weather Channel, it will be his second stint there. He served as an on-air hurricane expert at the channel from 2010 to 2012, before joining the Hurricane Center.

"I am moving on to a new and exciting opportunity that will not only allow me to spend less time traveling and more time at home with family, but extensive time in the studio at The Weather Channel focusing on hurricane and disaster safety communication that has become my greatest passion," Knabb said. "In my new job, I look forward to utilizing all of the innovative products and warnings that we developed at the National Hurricane Center during the past several years."

No permanent replacement for Knabb has yet been named. Ed Rappaport, a 30-year veteran of the Hurricane Center, will serve as the acting director while the National Weather Service conducts a search for the next director.

The Hurricane Center's loss is the Weather Channel's gain. "Dr. Knabb is one of the nation's leading voices on the threat that severe tropical weather poses to public safety and

livelihood," said David Clark, president of the Weather Channel. "His insights and experience will be critical in providing the public the in-depth context and analysis they expect from the Weather Channel during hurricane season. We couldn't be more proud to welcome Dr. Knabb back."

Notorious L.A. Earthquake Fault More Dangerous Than Experts Believed, New Research Shows (LA Times)

By Rong-Gong Lin II

March 21, 2017

One of Southern California's most dangerous faults caused land on the Orange County coast to sink between 1½ feet to 3 feet in a matter of seconds during prehistoric earthquakes, according to a new study that suggests the seismic risk is greater than previously believed.

"It's not just a gradual sinking. This is boom — it would drop. It's very rapid sinking," said the lead author of the report, Robert Leeper, a geology graduate student at UC Riverside who worked on the study as a Cal State Fullerton student and geologist with the U.S. Geological Survey.

The study of the Newport-Inglewood fault focused on the wetlands of Seal Beach. But the area of sudden dropping could extend to other regions in the same geologic area of the Seal Beach wetlands, which includes the U.S. Naval Weapons Station and the Huntington Harbour neighborhood of Huntington Beach.

Leeper and a team of scientists at Cal State Fullerton had been searching the Seal Beach wetlands for evidence of ancient tsunami. Instead, they found buried organic deposits that they determined to be the prehistoric remains of marsh surfaces, which they say were abruptly dropped by large earthquakes that occurred on the Newport-Inglewood fault.

Those earthquakes, roughly dated in 50 BC, AD 200 and the year 1450 — give or take a century or two — were all more powerful than the magnitude 6.4 Long Beach earthquake of 1933, which did not cause a sudden drop in the land, Leeper said.

As a result, the observations for the first time suggest that earthquakes as large as magnitudes 6.8 to 7.5 have struck the Newport-Inglewood/Rose Canyon fault system, which stretches from the Westside of Los Angeles through Long Beach and the Orange County coast to downtown San Diego.

The newly discovered earthquakes also suggest that the Newport-Inglewood fault is more active than previously thought. Scientists had believed the Newport-Inglewood fault ruptured in a major earthquake once every 2,300 years on average; the latest results show that a major earthquake could come once every 700 years on average, Leeper said.

It's possible the earthquakes can come more frequently than the average, and can arrive spaced as little as 300 years apart from one another.

If a magnitude 7.5 earthquake did rupture on the Newport-Inglewood/Rose Canyon fault system, such a temblor would bring massive damage throughout Southern California, said seismologist Lucy Jones, who was not affiliated with the study. Such an earthquake would produce 45 times more energy than the 1933 earthquake.

"It's really clear evidence of three earthquakes on the Newport-Inglewood that are bigger than 1933," Jones said of the earthquake that killed 120 people. "This is very strong evidence for multiple big earthquakes."

The idea that the Newport-Inglewood fault could produce more powerful earthquakes than what happened in 1933 has been growing over the decades. Scientists have come to the consensus that the Newport-Inglewood fault could link up with the San Diego County coast's Rose Canyon fault, producing a theoretical 7.5 earthquake based on the length of the combined fault system.

An earthquake of magnitude 7 on the Newport-Inglewood fault would hit areas of Los Angeles west of downtown particularly hard.

"If you're on the Westside of L.A., it's probably the fastest-moving big earthquake that you're going to have locally," Jones said. "A 7 on the Newport-Inglewood is going to do a lot more damage than an 8 on the San Andreas, especially for Los Angeles."

The study focused on taking samples of sediment underneath the Seal Beach National Wildlife Refuge in 55 locations across a broad zone, mapping buried layers for signs of past seismic activity.

To do this, scientists used a vibrating machine to push down a 20-foot-long, sharp-tipped pipe into the sediment and extract sediment samples that gave them a look at what has happened geologically underneath the site.

They found a repeating pattern where living vegetation on the marsh suddenly dropped by up to 3 feet, submerging it underwater, eventually killing everything on the surface and later buried.

"We identified three of these buried layers [composed of] vegetation or sediment that used to be at the surface," Leeper said. "These buried, organic-rich layers are evidence of three earthquakes on the Newport-Inglewood in the past 2,000 years."

Earthquakes elsewhere have also caused sudden drops in land, such as off the Cascadia subduction zone along the coast of Oregon and Washington. There, pine trees that once grew above the beach suddenly dropped below sea level, killing the trees as salt water washed over their roots, said study coauthor Kate Scharer, a USGS research geologist.

Another reason pointing to major earthquakes as a cause is the existence of a gap — known as the Sunset Gap — in the Newport-Inglewood fault that roughly covers the Seal Beach National Wildlife Refuge and Huntington Harbour.

The gap is oriented in a way that, if a major earthquake strikes, land could suddenly drop. Such depressions have formed in other Southern California faults, which have created Lake Elsinore from the Elsinore fault, and created Quail Lake, Elizabeth Lake and Hughes Lake from the San Andreas fault, Jones said.

While the scientists focused their study on the Seal Beach wetlands, because Huntington Harbour and the Naval Weapons Station area also lie in the same gap of the Newport-Inglewood fault, it could be possible that the sinking would extend to those areas as well, Leeper said.

But further study would be a good idea for those areas. It's possible that an investigation of Huntington Harbour, for instance, would show that land underneath it did not drop during earthquakes but moved horizontally, like much of the rest of the Newport-Inglewood fault, Scharer said.

Sudden dropping of land could cause damage to infrastructure, Scharer said, such as roads or pipes not designed to handle such a rapid fall.

Nothing in the new study offers guidance for when the next major earthquake on the Newport-Inglewood fault will strike next. "Earthquakes can happen at any time. We can't predict them. All we can do is try to understand how often they occur in the past, and be prepared for when the next one does occur," Leeper said.

Scientists generally say that the chances of a major quake on the San Andreas fault are higher in our lifetime because that fault is moving so much faster than the Newport-Inglewood, at a rate of more than 1 inch a year compared with a rate of one-twenty-fifth of an inch a year.

But it's possible a big earthquake on the Newport-Inglewood fault could happen in our lifetime.

The study was published online Monday in Scientific Reports, a research publication run by the journal Nature.

Besides Leeper and Scharer, the other coauthors of the study are Brady Rhodes, Matthew Kirby, Joseph Carlin and Angela Aranda of Cal State Fullerton; Scott Starratt of the USGS; Simona Avnaim-Katav and Glen MacDonald of UCLA; and Eileen Hemphill-Haley.

This article was updated with comments by study coauthor Kate Scharer, a USGS research geologist.

Region VIII Clips
Wednesday, March 22, 2017

ANALYSIS

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- *South Dakota:* No FEMA-related stories
- *Utah:* State environmental regulars say they have been fully compensated for their initial costs in responding to the 2015 Gold King Mine spill, but they are considering a lawsuit against the federal government for further costs… The *Deseret News* reports how Nibley responded to flooding, including its reachout to residents and use of GIS technology.
- *Wyoming:* Recent snow has added to the potential for flooding in west and central Wyoming in May/June… Wyoming Public Radio carried a story about researchers exploring a new way to fight oil spills – burn them hotter, faster and cleaner.
- *Other FEMA-related stories:* The director of the National Hurricane Center will leave his position for the Weather Channel… A Los Angeles fault line is more dangerous than previously recognized, a new study says.

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STORIES

COLORADO:

U.S. 34 nearing goal to reopen by Memorial Day (Loveland Reporter-Herald)

By The Loveland Reporter-Herald
PUBLISHED: March 22, 2017
Construction crews have not changed their expectation of when U.S. 34 will reopen in the Big Thompson Canyon, but as Memorial Day gets closer, state officials are getting excited about the progress made.
Colorado Department of Transportation and Kiewit Infrastructure Co. crews have been working on the three-year permanent-repair project on the highway damaged by the 2013 flood.
During the first phase of construction, the road has been closed between mile markers 77 (just east of Drake) and 80 (near Cedar Cove).
However, CDOT officials wanted to ensure the canyon would be open to drivers during the busy summer tourist season, after hearing input from residents and business owners.

Sunshine Fire in Boulder County likely caused by campfire at transient camp, sheriff's office says (KMGH Channel 7, Denver)

Blair Miller, Jaclyn Allen KMGH Channel 7 News
2:27 PM, Mar 21, 2017
BOULDER COUNTY, Colo. – The Sunshine Fire that burned 74 acres in Sunshine Canyon after it started Sunday morning was likely caused by a campfire at a transient camp, authorities said Tuesday.
The Boulder County Sheriff's Office says the fire is estimated to have cost $725,000 already. It said the campfire suspected as the fire's origin was west of the Centennial Trailhead on Boulder Open Space & Mountain Parks property.
It said that the campfire was in between some large rocks that "appeared to have been placed into a hastily fashioned, ad hoc campfire ring of sorts." A news release from the sheriff's office says that fire investigators found moisture near the fire's origin point and discovered that dirt had been kicked on top of the original campfire in a likely attempt to try to put it out.
But the fire flared quickly early Sunday, waking nearby residents who were forced to evacuate. It spread to 74 acres by Monday evening, when authorities said it was 100 percent contained. Mop-up efforts continued at the site Tuesday, however.
"Based on circumstances around the area, things we know, we suspect that it's a transient camp or was a transient campsite at one point," said Cmdr. Mike Wagner, a spokesman for the Boulder County Sheriff's Office.
It's an all too familiar story for people in Boulder County.
Last July, hundreds of acres burned in the Cold Springs Fire, which was also started by people camping illegally.
"There's a campsite right down the road here. There are several around — I see people up in the morning that are smoking up there," said Fred Moore, who was evacuated during the Sunshine Fire and wants to see the issue of homeless camping address before it's too late. "It's a growing concern. We're all very concerned about this area right now."
Sarah Huntley, a spokeswoman for the City of Boulder, said that park rangers have long been aware of the camping issue, issuing 291 illegal camping summons and 40 illegal campfire summons between 2014 and 2016.
"A situation like this can imperil homes, business and others in the nearby vicinity," Huntley said.

She said Boulder is also planning to hire four seasonal rangers to assist with direct code enforcement.
But the City is also asking for help from the public in reporting illegal campfires.
There is also a Homeless Working Group that will make recommendations about strategies to deal with the issues on May 16.
Meanwhile, the sheriff's office said it will increase patrols near the fire area.
The sheriff's office says no suspects have been identified as having caused the fire so far, but that investigation is ongoing. It is asking anyone with information about the fire and its origins to contact Boulder County Sheriff's Office Detective Jason Shatek at 303-441-3641 or Northern Colorado Crime Stoppers at 1-800-222-TIPS.
Camping within Boulder's open spaces is prohibited, as are campfires. The county is also currently under Level-I fire restrictions.
No structures or homes were damaged in the fire, nor were any injuries reported.

MONTANA:

No FEMA-related stories

NORTH DAKOTA:

Dakota Access pipeline vandalism highlights sabotage risks (AP, Bismarck Tribune)

By BLAKE NICHOLSON and STEVE KARNOWSKI Associated Press (In the Bismarck Tribune)
Mar 22, 2017
BISMARCK, N.D. (AP) — The developer of the Dakota Access pipeline has reported "recent coordinated physical attacks" on the much-protested line, just as it's almost ready to carry oil. Texas-based Energy Transfer Partners didn't give details, but experts say Dakota Access and the rest of the nearly 3 million miles of pipeline that deliver natural gas and petroleum in the U.S. are vulnerable to acts of sabotage.
It's a threat that ETP takes seriously enough that it has asked a court to shield details such as spill response plans and features of the four-state pipeline that the company fears could be used against it by activists or terrorists.
Here is a look at some pipeline security issues:

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RECENT ATTACKS
Authorities in South Dakota and Iowa confirmed Tuesday that someone apparently used a torch to burn a hole through empty sections of the pipeline at aboveground shut-off valve sites.
Mahaska County Sheriff Russell Van Renterghem said the culprit in Iowa appeared to have gotten under a fence around the facility, but Lincoln County Sheriff's Deputy Chad Brown said the site in South Dakota wasn't fenced.
The Iowa incident was discovered March 13 and the South Dakota incident Friday.
Pipeline operators are asked to report security breaches to the National Response Center. Data on the center's website show no reports from ETP this month.

The $3.8 billion Dakota Access pipeline runs 1,200 miles through the Dakotas, Iowa and Illinois.

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HOW DO YOU ATTACK A PIPELINE?

Because pipelines mainly run underground, aboveground shut-off valves are natural targets, according to Jay O'Hara, a spokesman for the environmental group Climate Direct Action. That group targeted valves on pipelines in October in North Dakota, Minnesota, Montana and Washington state, though the pipeline companies said activists didn't succeed because none of the sites were operating when the attacks happened.

Explosives, firearms and heavy machinery also have been used to try to sabotage pipelines.

Securing pipelines is difficult because they often travel long distances through remote and even uninhabited territory, said Kelly Sundberg, a professor at Mount Royal University in Calgary, Alberta, who studies energy infrastructure security and environmental crime.

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THE DANGER

Sundberg said "it's stupid and dangerous" to tamper with pipeline shut-off valves.

Modern oil pipelines are "incredibly sophisticated" systems that move huge volumes of petrochemicals at high pressures, he said. Simply closing a valve can cause the pressure upstream to increase quickly, creating a significant risk of a spill that endangers the environment and anyone in the area where the pipe suddenly bursts, he said.

In response to the October incidents, federal regulators issued a bulletin warning that tampering with pipeline valves "can have significant consequences such as death, injury, and economic and environmental harm."

Sundberg also said that it's ironic for people who say they're concerned about the environment to take an action that could cause an environmental disaster.

But O'Hara said: "The hypocrisy really lies in the pipeline corporations who say their pipelines are safe, say leaks don't happen. They blame activists who are trying to stop global cataclysm by taking action to point out what they do every day, which is leak and spill."

Someone who targets a pipeline facility in the U.S. could face up to 20 years in prison.

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WHO'S RESPONSIBLE FOR THE RECENT ATTACKS?

No suspects have been identified in either state and no group has claimed responsibility

O'Hara told The Associated Press that Climate Direct Action wasn't involved in any actions against the Dakota Access pipeline.

Attorneys for the Standing Rock and Cheyenne River Sioux tribes, which are leading the legal battle against the pipeline, said the tribes don't condone acts of violence against pipeline property.

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HOW FREQUENTLY DOES PIPELINE SABOTAGE OCCUR?

Not very often, Sundberg said. It happens more frequently in Canada than the U.S. It's generally committed by people trying to make an environmental point. It would be "very scary" if terrorist groups tried it in North America, he said.

Some of the worst incidents in the U.S. were on the Trans Alaska Pipeline. Vandals blew up a section in 1978, spilling about 16,000 barrels of oil near Fairbanks. In 2001, a drunken man fired a hunting rifle into the pipeline near Livengood, causing more than 6,000 barrels to spray out.

Some of the most notable incidents in Canada happened in the 1990s and 2000s in Alberta and British Columbia. A series of bombings in 2008-09 targeted pipelines in British Columbia. Weibo Ludwig, an Alberta man who crusaded against the extraction of "sour gas" containing high amounts of hydrogen sulfide, was convicted in several of the 1990s acts of vandalism. He was arrested but never charged in the later attacks.
Pipeline sabotage happens with some regularity in war zones. Iraqi insurgents, Colombian rebels and Mexican guerrillas all have claimed responsibility for pipeline attacks in recent decades.

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Karnowski reported from Minneapolis. Associated Press news researcher Jennifer Farrar contributed to this story from New York, and reporter David Pitt contributed from Des Moines, Iowa.

SOUTH DAKOTA:

No FEMA-related stories

UTAH:

Utah reimbursed for Gold King Mine spill's initial costs; lawsuit weighed (Deseret News and Associated Press)

March 21, 2017
Matt York, Associated Press

SALT LAKE CITY — State environmental regulators said Tuesday they have been fully compensated for their initial costs incurred during the response to the 2015 Gold King Mine spill, but a lawsuit against the federal government remains under consideration.

Overall, reimbursement payments from the U.S. Environmental Protection Agency come to about $464,000, fully compensating the Utah Department of Environmental Quality for its initial response.

Utah lawmakers set aside $500,000 during the session that ended earlier this month to pay for litigation, if necessary, against the federal agency.

"We are currently investigating and evaluating the options available to the state, including ongoing negotiations with the EPA," said Daniel Burton, a spokesman with the Utah Attorney General's Office.

Burton added that $500,000 has been set aside as the office continues to review potential legal action.

Last month, attorneys with the U.S. Department of Justice asked a federal judge to dismiss lawsuits brought by New Mexico and the Navajo Nation as a result of the spill, which sent 3 million gallons of water contaminated with heavy metals into three states, including Utah.

An EPA-contracted work crew breached the Gold King Mine, sending a release of mustard-colored sludge into the Animus River near Silverton, Colorado. From there, the sludge — filled with lead and arsenic — spread out into a plume that sparked an intense response by states. The spill contaminated the San Juan River after it entered Utah and ended at Lake Powell, where the full impact of the sediment deposited is being evaluated.

In response to the lawsuits, Justice Department attorneys argued that the EPA had immunity from the spill, which New Mexico and other critics insist has been minimized by the federal agency in terms of the environmental impact and duration of the remediation.

The spill required Utah water quality scientists to return to the San Juan River in 2016 to monitor how much metals-laden sediment might be churned up with spring runoff. Additional monitoring is expected to be carried out this spring.

Congress passed legislation that directs up to $4 million to be paid to states and tribes and other entities for longtime monitoring of impacted waterways. The law went into effect in 2016.

Other entities receiving reimbursement via the Utah Department of Environmental Quality include San Juan County and the Utah Department of Natural Resources.

What would you do if your town was flooding? How Nibley, Utah responded (Deseret News)

What would you do if your town was flooding? How Nibly, Utah responded.

The large accumulation of snow in the mountains of Utah, combined with an unseasonably warm January that included several rainstorms, led to a rapid melt on ground that was saturated and partly frozen. This resulted in a massive runoff and caused flooding in several Northern Utah communities, including the city of Nibley.

Nibley City Manager, David Zook, explains how the flooding began, "Nibley is an agricultural area with a lot of farm fields that were full of a couple feet of snow. When we then got a few inches of rain, the snow melted and those fields turned into lakes. And once the fields filled up, the lakes started flowing and didn't stop until the water hit houses."

With storm water basins overloaded and more water flowing above ground, dozens of Nibley residents had water seeping and even pouring into their basements.

"A lot of residents started pumping the water out with sump pumps," Zook explains. "Unfortunately, this overwhelmed both our storm water and sewer systems. The biggest concern was the sewer system."

Nibley typically has between 100 to 400 gallons per minute going through its sewer system. At the peak of the flooding, the city had 1800 gallons per minute gushing through. This was an

extremely alarming situation because, during the flooding, Wellsville, the city next to Nibley, was experiencing waste water back up. Zook and other city officials became worried that this would also start happening to residents of Nibley. "We're talking about raw sewage in people's homes," Zook says with a grimace. "It's not pretty, so wanted to do everything we could to prevent it from happening in Nibley."

Once city officials realized the potential for wastewater back up, they knew they had to quickly get the word out to residents. Information was posted on the city's website and spread via social media. Nibley also utilized the community alert system, which sent out a phone call, text message and email to every resident in town with information about the emergency.

"Initially, we asked residents to stop putting their storm and ground water into the sewer, but we quickly saw that wasn't enough," Zook explains. "We then asked residents to completely stop using their sewer systems—to stop washing laundry, flushing toilets, taking showers, and washing dishes because our system was so overwhelmed."

Nibley residents responded admirably, each doing his and her part to help with the emergency, and the city immediately started pumping water from the low spots to try and alleviate the damage. Nibley was also able to track the flooding and monitor particular trouble spots using GIS technology.

"Cache County has a system that tracked the roads that were closed and the bridges that were out. The information was posted in real time online, so that residents could see what was going on," says Zook. "It was a great tool to both inform the public and allow government agencies to keep track of what was going on with the flooding."

It has been more than a month since the flooding emergency, but many parts of the city are still completely saturated with water and several homes are still pumping water from their basements. And while Mother Nature is impossible to control, what Nibley City learned during this emergency will make them even better prepared to handle a similar flooding situation in the future.

"We will do a better job of educating our residents," Zook says. "We already have a law on the books that says you can't pump storm or ground water into the sewer system. It costs money for the city to treat it, and, in a flooding situation, it could overwhelm our system. Of course, a lot of the water in this past flooding event didn't come from our residents. It came from manholes or other places where water was leaking into our sewer pipes. To prevent this from happening again, Nibley is working hard to seal up those areas to ensure the system is as water tight as possible."

WYOMING:

Flood outlook rises in Wyoming (Casper Star-Tribune)

- BOB MOEN Associated Press

- Mar 21, 2017 Updated 11 hrs ago

CHEYENNE — The potential for flooding from the mountain snowpack melting this spring and early summer has increased in parts of central and western Wyoming, according to the latest spring flood forecast.

Portions of the North and South Forks of the Shoshone River in northwest Wyoming have been added to the river basins where there is a moderate to high potential for flooding when the snowmelt gets underway in earnest in May and June, the National Weather Service said in its flood potential outlook released Tuesday.

Moderate to high potential for flooding remains in the Big and Little Wind River basins in central Wyoming, the Upper Green Basin and Snake River Basin.

National Weather Service hydrologist Jim Fahey in Riverton said additional snow over the last month in the Absaroka Mountains in northwest Wyoming raised the flood potential for the North and South Forks of the Shoshone River west and southwest of Cody.

"It's showing some really high snowpack and snow water equivalent values," Fahey said.

Accumulated snowpack at the 8,500 to 10,000 foot elevation in the Wind and Upper Green basins are 170 percent to 180 percent of median.

"There'll be some flooding with the some of the areas, especially on the Green and the Wind basins because of the amount of pack we have to melt, but most other areas if we melt it at a steady pace we're not going to see big problems," Fahey said.

The situation can change drastically if rain falls during the runoff, he said.

"That's where we really have high water and it could be significant," Fahey said.

Elsewhere, the risk of spring flooding is low and low to moderate around the Big Horn Mountains in north-central Wyoming and in southeast Wyoming.

Currently, the low-level snowpack — below 7,500 feet elevation — is rapidly melting out in many areas of the state because of above normal temperatures over the last week, according to Lee Hackleman, water supply specialist with the Natural Resources Conservation Service.

As a result, a flood watch has been posted through Wednesday night for portions of northwest, southwest and west-central Wyoming, including Jackson, Afton, Alpine, Thayne, Pinedale, La Barge, Big Piney, Farson, Kemmerer and Cokeville.

Researchers Test Hotter, Faster And Cleaner Way To Fight Oil Spills (Wyoming Public Radio)

By DEBBIE ELLIOTT · 10 HOURS AGO



View Slideshow 1 *of* 5

The Flame Refluxer is essentially a big copper blanket: think Brillo pad of wool sandwiched between mesh. Using it while burning off oil yields less air pollution and residue that harms marine life.

Courtesy of Worcester Polytechnic Institute

Originally published on March 22, 2017 7:06 am

On a cold and windy day off the coast of Alabama, a team of researchers from Worcester Polytechnic Institute in Massachusetts gathers, conducting the first test outside a laboratory for a potential new solution to a challenging problem: cleaning oil spills from water.

The invention, the Flame Refluxer, is "very simple," says Ali Rangwala, a professor of fire protection engineering: Imagine a giant Brillo pad of copper wool sandwiched between layers of copper screen, with springy copper coils attached to the top.

"The coils collect the heat from the flame and they transmit it through the copper blanket," Rangwala explains.

The goal is to make a hotter, faster and more complete burn that leaves less pollution.

Cleaning oil from water is a challenge, especially on the open sea. That was dramatically evident seven years ago, when a massive oil spill during the BP disaster polluted the Gulf of Mexico.

Responders typically use three cleanup methods in an oil spill: skimmers and oil booms to soak it up, dispersants to break it up, and fire to burn it up. That's called in-situ, or in-place, burning. The federal government is backing research on the Flame Refluxer, which supporters hope will provide an effective and ecologically sound alternative.

For the test — at the U.S. Coast Guard's Joint Maritime Test Facility on Little Sand Island in Mobile Bay — workers place the blanket inside a ring-shaped floating protective barrier, or fire boom, in a concrete pool. Oil is pumped from a nearby tank, and a long torch-like lighter sets it afire.

Before long, the fire is roaring with flames up to 12 feet high.

Rangwala monitors by video in a nearby research shed. "It's looking very good," he observes. Engineers are tracking the fire's heat and the emissions that are being captured by a strategically placed windsock downwind of the test burn.

The device potentially could reduce air pollution, as well as the layer of tar that remains after oil burns and sinks to the ocean floor, threatening marine life.

Rangwala says the copper blanket was designed to capture any remaining residue, but they're finding that the tar is burning off as well.

He says the test indicates a hotter, quicker, cleaner burn.

"Currently it's about three times faster than baseline," he says. "And the smoke is also grayish in color, compared to black."

The gray smoke, with less soot, is one of the things that Karen Stone is looking for.

"The lighter it is, the cleaner it is," says Stone, an oil spill response engineer with the federal Bureau of Safety and Environmental Enforcement.

The agency has invested $1.5 million to develop the Flame Refluxer, and is also paying for other new technology.

It's an effort to be better prepared to respond, after the 2010 BP disaster in the Gulf revealed some major gaps. For example, the country didn't have enough fire boom on hand and had to scramble to borrow supply from other countries.

"Once you have a spill, it really gets the attention," says Stone. "We realize, wow, we really need to advance it and make it better, improve it, for when it happens again."

Stone says the technology that is working in the Gulf environment also shows promise for responding to oil spills in the Arctic. But it is likely 5 to 10 years from being used in an actual disaster.

The next step is finding the best way to deploy and test it in open water.

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FEMA-RELATED STORIES:

National Hurricane Center Director Leaving For Weather Channel (Washington Post)

By Jason Samenow

March 21, 2017

The National Hurricane Center announced Tuesday morning that its director, Rick Knabb, is leaving and has accepted the position as on-air hurricane expert at the Weather Channel.

Knabb joined the Hurricane Center in June 2012; his last day will be May 12 this year, the Hurricane Center said.

During Knabb's tenure, the long-term trend toward more accurate hurricane track and intensity forecasts continued.

The Hurricane Center also introduced new products for communicating the risk of hurricane hazards such as storm surge at the very local level.

"I want to personally thank Rick for championing innovation at the National Hurricane Center during his five-year tenure as director," said Louis Uccellini, director of the National Weather Service. "Under his watch, NHC launched several new decision support tools to help America prepare for and respond to hurricane threats."

Knabb led the Weather Service through the busy 2016 hurricane season, which produced 15 named storms and seven hurricanes, including Matthew. Although he was fortunate in that no major hurricane, Category 3 or higher, struck U.S. shores during his tenure, Sandy, dubbed a superstorm for its size, crashed ashore in coastal New Jersey in his first full season on the job. Sandy was no longer technically a hurricane when it made landfall.

In all, Knabb presided over four hurricane landfalls on U.S. shores: Isaac (2012), Arthur (2014), Hermine (2016) and Matthew (2016).

Colleagues described him as competent and effective.

"My impression was that he was well-liked and respected there," said Brian McNoldy, a tropical weather researcher at the University of Miami and Capital Weather Gang's tropical weather expert.

"I've heard nothing but exceptional things about him," added Ryan Maue, meteorologist with WeatherBell Analytics. "In the last five years, everything has improved markedly."

When Knabb moves to the Weather Channel, it will be his second stint there. He served as an on-air hurricane expert at the channel from 2010 to 2012, before joining the Hurricane Center.

"I am moving on to a new and exciting opportunity that will not only allow me to spend less time traveling and more time at home with family, but extensive time in the studio at The Weather Channel focusing on hurricane and disaster safety communication that has become my greatest passion," Knabb said. "In my new job, I look forward to utilizing all of the innovative products and warnings that we developed at the National Hurricane Center during the past several years."

No permanent replacement for Knabb has yet been named. Ed Rappaport, a 30-year veteran of the Hurricane Center, will serve as the acting director while the National Weather Service conducts a search for the next director.

The Hurricane Center's loss is the Weather Channel's gain. "Dr. Knabb is one of the nation's leading voices on the threat that severe tropical weather poses to public safety and livelihood," said David Clark, president of the Weather Channel. "His insights and experience will be critical in

providing the public the in-depth context and analysis they expect from the Weather Channel during hurricane season. We couldn't be more proud to welcome Dr. Knabb back."

Notorious L.A. Earthquake Fault More Dangerous Than Experts Believed, New Research Shows (LA Times)

By Rong-Gong Lin II

March 21, 2017

One of Southern California's most dangerous faults caused land on the Orange County coast to sink between 1½ feet to 3 feet in a matter of seconds during prehistoric earthquakes, according to a new study that suggests the seismic risk is greater than previously believed.

"It's not just a gradual sinking. This is boom — it would drop. It's very rapid sinking," said the lead author of the report, Robert Leeper, a geology graduate student at UC Riverside who worked on the study as a Cal State Fullerton student and geologist with the U.S. Geological Survey.

The study of the Newport-Inglewood fault focused on the wetlands of Seal Beach. But the area of sudden dropping could extend to other regions in the same geologic area of the Seal Beach wetlands, which includes the U.S. Naval Weapons Station and the Huntington Harbour neighborhood of Huntington Beach.

Leeper and a team of scientists at Cal State Fullerton had been searching the Seal Beach wetlands for evidence of ancient tsunami. Instead, they found buried organic deposits that they determined to be the prehistoric remains of marsh surfaces, which they say were abruptly dropped by large earthquakes that occurred on the Newport-Inglewood fault.

Those earthquakes, roughly dated in 50 BC, AD 200 and the year 1450 — give or take a century or two — were all more powerful than the magnitude 6.4 Long Beach earthquake of 1933, which did not cause a sudden drop in the land, Leeper said.

As a result, the observations for the first time suggest that earthquakes as large as magnitudes 6.8 to 7.5 have struck the Newport-Inglewood/Rose Canyon fault system, which stretches from the Westside of Los Angeles through Long Beach and the Orange County coast to downtown San Diego.

The newly discovered earthquakes also suggest that the Newport-Inglewood fault is more active than previously thought. Scientists had believed the Newport-Inglewood fault ruptured in a major earthquake once every 2,300 years on average; the latest results show that a major earthquake could come once every 700 years on average, Leeper said.

It's possible the earthquakes can come more frequently than the average, and can arrive spaced as little as 300 years apart from one another.

If a magnitude 7.5 earthquake did rupture on the Newport-Inglewood/Rose Canyon fault system, such a temblor would bring massive damage throughout Southern California, said seismologist Lucy Jones, who was not affiliated with the study. Such an earthquake would produce 45 times more energy than the 1933 earthquake.

"It's really clear evidence of three earthquakes on the Newport-Inglewood that are bigger than 1933," Jones said of the earthquake that killed 120 people. "This is very strong evidence for multiple big earthquakes."

The idea that the Newport-Inglewood fault could produce more powerful earthquakes than what happened in 1933 has been growing over the decades. Scientists have come to the consensus that the Newport-Inglewood fault could link up with the San Diego County coast's Rose Canyon fault, producing a theoretical 7.5 earthquake based on the length of the combined fault system.

An earthquake of magnitude 7 on the Newport-Inglewood fault would hit areas of Los Angeles west of downtown particularly hard.

"If you're on the Westside of L.A., it's probably the fastest-moving big earthquake that you're going to have locally," Jones said. "A 7 on the Newport-Inglewood is going to do a lot more damage than an 8 on the San Andreas, especially for Los Angeles."

The study focused on taking samples of sediment underneath the Seal Beach National Wildlife Refuge in 55 locations across a broad zone, mapping buried layers for signs of past seismic activity.

To do this, scientists used a vibrating machine to push down a 20-foot-long, sharp-tipped pipe into the sediment and extract sediment samples that gave them a look at what has happened geologically underneath the site.

They found a repeating pattern where living vegetation on the marsh suddenly dropped by up to 3 feet, submerging it underwater, eventually killing everything on the surface and later buried.

"We identified three of these buried layers [composed of] vegetation or sediment that used to be at the surface," Leeper said. "These buried, organic-rich layers are evidence of three earthquakes on the Newport-Inglewood in the past 2,000 years."

Earthquakes elsewhere have also caused sudden drops in land, such as off the Cascadia subduction zone along the coast of Oregon and Washington. There, pine trees that once grew above the beach suddenly dropped below sea level, killing the trees as salt water washed over their roots, said study coauthor Kate Scharer, a USGS research geologist.

Another reason pointing to major earthquakes as a cause is the existence of a gap — known as the Sunset Gap — in the Newport-Inglewood fault that roughly covers the Seal Beach National Wildlife Refuge and Huntington Harbour.

The gap is oriented in a way that, if a major earthquake strikes, land could suddenly drop. Such depressions have formed in other Southern California faults, which have created Lake Elsinore from the Elsinore fault, and created Quail Lake, Elizabeth Lake and Hughes Lake from the San Andreas fault, Jones said.

While the scientists focused their study on the Seal Beach wetlands, because Huntington Harbour and the Naval Weapons Station area also lie in the same gap of the Newport-Inglewood fault, it could be possible that the sinking would extend to those areas as well, Leeper said.

But further study would be a good idea for those areas. It's possible that an investigation of Huntington Harbour, for instance, would show that land underneath it did not drop during earthquakes but moved horizontally, like much of the rest of the Newport-Inglewood fault, Scharer said.

Sudden dropping of land could cause damage to infrastructure, Scharer said, such as roads or pipes not designed to handle such a rapid fall.

Nothing in the new study offers guidance for when the next major earthquake on the Newport-Inglewood fault will strike next. "Earthquakes can happen at any time. We can't predict them. All we can do is try to understand how often they occur in the past, and be prepared for when the next one does occur," Leeper said.

Scientists generally say that the chances of a major quake on the San Andreas fault are higher in our lifetime because that fault is moving so much faster than the Newport-Inglewood, at a rate of more than 1 inch a year compared with a rate of one-twenty-fifth of an inch a year.

But it's possible a big earthquake on the Newport-Inglewood fault could happen in our lifetime.

The study was published online Monday in Scientific Reports, a research publication run by the journal Nature.

Besides Leeper and Scharer, the other coauthors of the study are Brady Rhodes, Matthew Kirby, Joseph Carlin and Angela Aranda of Cal State Fullerton; Scott Starratt of the USGS; Simona Avnaim-Katav and Glen MacDonald of UCLA; and Eileen Hemphill-Haley.

This article was updated with comments by study coauthor Kate Scharer, a USGS research geologist.

From: Welch, Randy
Sent: 24 Feb 2017 18:28:57 +0000
To: R8 All Hands
Cc: (b)(6)
(b)(6) @state.co.us'(b)(6) @state.co.us'(b)(6) @mail.mil'(b)(6)
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Richard;Bonza, Dale;Coley, Robert
Subject: FEMA Region 8 news clips for Friday 2-24-17
Attachments: R8 Clips 02-24-17.docx

Region VIII Clips

Friday, Feb 24, 2017

ANALYSIS

- *Colorado:* A storm caused traffic problems in the Denver metro area Thursday, but the affects were minimal by Friday morning.
- *Montana:* A Billings contractor has agreed to plead guilty to federal corruption charges, including defrauding FEMA in connection with contracts for the Chippewa Cree tribe after the 2010 floods.
- *North Dakota:* Several stories report on Thursday's meeting in Drayton on flood preparedness led by the state's two Senators. Some focus on the town's temporary levee, in place since 1997 and which should be taken down per federal regulations. The *Grand Forks Herald* story could not be accessed. (EA will contact KVL TV re its story.) … WDAY in Fargo begins a look back at the '97 flood; a video link is provided.
- *South Dakota:* The Mitchell *Daily Republic* reports that no flooding is expected on the Missouri in South Dakota this year. For the entire Missouri basin, only the James River in North Dakota has a chance of flooding greater than 40 percent, per the National Weather Service.
- *Utah:* Several stories report on the flooding in Box Elder County, including the possibility that the state will request federal help. Many homes are said to have basement flooding, and damage estimates are said to be $3.1 million.
- *Wyoming:* The Greybull fire chief died last week after spending the day working on ice jams… Parts of the Snake River Basin in Jackson Hole have a 60 percent chance of

flooding this spring, according to the National Weather Service. The NWS says Riverton and Lander have the most likelihood of flooding in Wyoming.

- *Other FEMA-related stories:* A Washington story on the request for information about FEMA's mobile housing units by Congressman Jason Chaffetz of Utah includes criticism of the Shelter at Home program. A second story from the *Baton Rouge Advocate* gives details on the problems that led to the death of an MHU resident. … A Texas story reports on FEMA losing a court battle about aid given after Hurricane Dolly when inspectors denied assistance for homes built of secondhand materials on the basis that the damage was likely from poor construction rather than the hurricane.

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FEMA Loses Dolly Battle; Disaster Aid Sparring Ends After Eight Years (Brownsville, TX, Herald)

STORIES

COLORADO:

Scattered snow flurries in Denver; few disruptions on morning commute
(Denver Post)

By Kirk Mitchell | kmitchell@denverpost.com | The Denver Post
PUBLISHED: February 24, 2017 at 7:57 am | UPDATED: February 24, 2017 at 8:30 am

Light snow flurries are expected for one more day in the Denver area before the storm moves east and a gradual warming trend begins, forecasters say.

Unlike Thursday evening's commute where snowfall throughout the day created tough driving conditions in the foothills and mountains, so far traffic in the Denver metro area appears to be running smoothly.

Light snow flurries are expected for one more day in the Denver area before the storm moves east and a gradual warming trend begins, forecasters say.
Unlike Thursday evening's commute where snowfall throughout the day created tough driving conditions in the foothills and mountains, so far traffic in the Denver metro area appears to be running smoothly.
"We haven't seen too many crashes. The roads are in pretty good shape. There have been no road closures," said Stacia Sellers, spokeswoman for the Colorado Department of Transportation. Crews treated the roads with chemicals in advance of the storm and stayed out through Thursday night keeping highways and streets clear, Sellers said. They focused on the interstates, bridges, overpasses and ramps, she said.
There is a 20 percent chance of snow through Friday, according to the NWS. The snow will taper off in the evening and it will get very cold at night.
In the mountains, between 1 and 3 inches of new snow is expected Friday.
The high temperature Friday will be around 26, according to the National Weather Service in Boulder. The low Friday night will be around 10 degrees, but the wind chill factor will make it feel like minus 3 degrees.
A slight warm-up starts Saturday with a high of 35. Temperatures will continue to climb to 39 on Sunday and 43 on Monday. The average high temperature for this time of year usually falls in the upper 40s. February has been unusually warm and four high temperature records have been set so far this month.
A slight chance for snow returns to the forecast Tuesday after 11 a.m., the weather service predicts. The high will be about 39 degrees. Expect highs of 44 on Wednesday and 50 by Thursday.

MONTANA:

Billings contractor to settle corruption charges; sale of company pending

(Billings Gazette)

By CLAIR JOHNSON cjohnson@billingsgazette.com

A Billings contractor and his company, CMG Construction Inc., have agreed to admit to federal crimes in a corruption probe involving the Chippewa Cree Tribe in northcentral Montana amid the pending sale of the company.
Kevin McGovern, president of CMG, is expected to plead guilty to wire fraud and to theft from an Indian tribal organization as part of a deal with prosecutors to settle three separate indictments.
In addition, CMG is to admit to a false claim charge in a case that accused it and McGovern of conspiring with others to defraud the Federal Emergency Management Agency of money it provided to the tribe to help with recovery from a 2010 flood that destroyed the tribe's health clinic.

The indictments accused McGovern, CMG and another of McGovern's companies, MC Equipment Holdings LLC, of a series of crimes to defraud the federal government and the Chippewa Cree Tribe on the Rocky Boy's Reservation.
Prosecutors have agreed to recommend a prison sentence for McGovern that will not exceed six years.
The agreements are outlined in documents unsealed this week by U.S. District Judge Brian Morris of Great Falls.
Morris set a plea change hearing in the cases for March 1.
The plea agreements are contingent on the judge's approval at sentencing.

Unsealed

Morris, who had temporarily sealed the documents, ultimately rejected a defense effort to keep the records sealed. The judge said that sealing the documents would violate the public's and the press' right to access records under the First Amendment and would violate a victim's right to be included in court processes under the Crime Victim Rights Act.
In an order filed Wednesday, Morris said there was "no compelling reason" to seal the plea agreements because McGovern already had notified the prospective buyer of his company of his pending plea change.
McGovern, through his attorneys, had argued that while the buyer of CMG had been informed of the pending settlement, immediate publication of the plea agreements would "have a negative consequence on the prospective sale."
The result, the defense said, would be the loss of jobs for 150 CMG employees and provide less money for McGovern and the government for fines and restitution. The buyer's identity was not disclosed.
Assistant U.S. Attorney Ryan Weldon had objected to sealing the documents, citing the public's right to know and victim's rights. Sealing the records also would only delay the inevitable, he said in court records.
McGovern and his attorneys, Mark Parker of Billings and Jeremy Yellin of Havre, could not be reached for comment on Thursday.

The cases

Based in Billings and in Liberty Hill, Texas, CMG is a privately owned company with McGovern as its president and sole principal, the company's website said.
CMG formed in 2004 and specializes in site preparation and construction and serves Montana, the western Dakotas and northern Wyoming. Locally, the company was a subcontractor on the new $80 million James F. Battin Federal Courthouse in Billings. And last year, Rocky Mountain College hired CMG as the general contractor for major construction projects underway at the college.
The pending settlement is the latest in a series of successful prosecutions by the Montana U.S. Attorney's Office and the Department of Interior's Office of the Inspector General into massive corruption involving tribal members and non-tribal members.
The investigations involved, among other things, contracts for work involving funding for the tribe from FEMA and from the Bureau of Reclamation's water project to bring potable water to the Rocky Boy's Reservation.
McGovern's settlement with prosecutors comes as he and CMG were to be sentenced on Feb. 16 after being convicted by a jury in November on conspiracy and bribery charges. Morris recently denied McGovern's request for a new trial.

The bribery case involved a contract kickback scheme in which prosecutors said McGovern and CMG conspired with former tribal official Tony Belcourt to get preferential treatment on FEMA contracts for projects related to the flooding and destruction of the tribe's health clinic.

NORTH DAKOTA:

Flood of solutions: Senators, city leaders discuss spring flood preparation in northeast North Dakota (GF Herald)

Grand Forks Herald
The **Red River** at Grand Forks was at 26.43 feet Thursday. The area's **flood** stage is 28 feet, and water has a 10-25 percent chance of reaching major ...

US Senators Review Flood Preparation In NE North Dakota (AP)

Associated Press, February 23, 2017

DRAYTON, N.D. (AP) — North Dakota's two U.S. senators are trying to help communities in northeastern North Dakota and the Devils Lake Basin prepare for possible major flooding this spring.

Republican Sen. John Hoeven led a tour and meeting in Drayton on Thursday with federal, state and local officials. Democratic Sen. Heidi Heitkamp also joined the group.

Hoeven brought together the group, which included representatives from the U.S. Army Corps of Engineers and the Federal Emergency Management Agency. With a recent flood outlook showing the possibility of major flooding this spring, he says the tour was aimed at ensuring communities in northeastern North Dakota "are as prepared as possible."

Both Hoeven and Heitkamp noted that the upcoming 20th anniversary of the devastating 1997 flood shows the need for comprehensive flood control in North Dakota.

Quirky government rule keeps small town vulnerable to floods (KVLY, Fargo TV)

www.valleynewslive.com/video/?vid=414678384

By Ryan Laughlin |
Posted: Thu 8:35 PM, Feb 23, 2017 |
Updated: Thu 9:42 PM, Feb 23, 2017

DRAYTON, N.D. (Valley News Live) Flood waters are rising. Some smaller communities are much more vulnerable to the threat of flooding.

In Drayton, soon the water is going to rise and when it does concerns will follow about the uncertain flood protection plan that's in place

"I think it's frustration because nothing is happening," said Ron Corrick a Drayton business owner.
"We keep talking about it. We have lots of meetings and not much happens," Corrick said.

Drayton's dikes have protected the city since the 97 flood, but a quirky federal rule could put the town at risk.

"The FEMA buyout property, they wanted us to take the dikes out in that section of each property, which makes no sense. Because what we have going there now works," Corrick said.

FEMA bought out flood-way protection land along the Red River in Drayton. But, FEMA says no structures can be on that land. Apparently, dikes are considered a structure.

For the first time, FEMA and North Dakota's senators came together in front of people looking for government solution to government created problem.

"Under FEMA's rules they'd have to be taken down. That makes no sense. Again, that's the federal one size fits all, that they're applying that rule to everybody," said North Dakota Senator (R) John Hoeven. "But, that actually hurts this community because it takes away their protection."

Senator Hoeven is working on legislation to save the dikes, in the meantime an extension is set to run out in March and anxiety in town is raising with the water.

"They haven't really got an answer for us that we can leave them up. It looks like they're going to have to grant us another extension," Corrick said.

Uncertainty still remains about the permanent flood protection plan for Drayton, but people hope it will come to permanent solution quickly.

Much of the Upper Red River Valley is supposed to face moderate flooding this spring. The only major flood forecast in North Dakota is north section of the Devils Lake Basin.

One small town could lose its only barrier for floodwaters (WDAZ TV, Grand Forks)

By Ken Chase Today at 12:25 a.m.

DRAYTON, ND (WDAZ-TV) - A local town is running out of time.

One small town could lose its only barrier for floodwaters.

One dike in Drayton is keeping local residents safe as they worry about rising water in the coming weeks.

Bill Tuttle, Drayton Resident: "The dike is right here. These used to be all properties along here."

Bill Tuttle lives just feet from the Red River.

He says the changes Drayton has made since the flood of '97, like adding the dikes, have saved the town.

"There was three, four homes set up in here that are gone now that were bought out with flood monies to put the dike in place that's here now," says Tuttle.

But FEMA says there can't be dikes on federal land.

The feds wanted to remove the dikes and have the cost come out of Drayton's coffers.

Last fall's original tear-down date was extended, but only until the end of next month.

As the Red rises, residents worry.

The city's superintendent wants the dikes to stay.

Nick Rutherford, City Superintendent: "I would hate to see it. I mean it's a big chore."

The National Weather Service estimates a peak in flooding in Drayton in the coming weeks.
The river's level is already at 28 feet.
It could handle another 20 foot rise, but only if the dikes are in place.
Without the dikes, people fear the town could be under water.
Tuttle: "We would have sewage and water backed up in all of these properties along the river here."
The dikes are part of a bill that could be approved at the end of next month.
If not, Senator John Hoeven's office says he'll ask FEMA for another extension to hopefully get the town through the spring flood.

Northeast ND Preparing For Flood; Officials Urge Buying Insurance (Bemidji, MN Pioneer)

By Julia Cardi

Bemidji (MN) Pioneer, February 23, 2017

"It's always tough to find resources in a community of 900 people," said Heitkamp, D-N.D. "I think a lot of times they feel like they've gotten left behind. ... (It's) important to realize that these small communities that help farmers are really the rockbed of the economy of our state, so they can't be left behind."

Flood risks remain highest in the northern valley and the Devils Lake Basin and are lower in the southern valley.

Grafton, Neche, Pembina and Creel Bay at Devils Lake are expected to see the most flooding, according to National Weather Service meteorologist Gregory Gust. The Grand Forks area is likely to see moderate flooding, he said, which is normal.

Officials from the Army Corps of Engineers and the Federal Emergency Management Agency urged residents to begin preparations for flood conditions as soon as possible, such as acquiring sandbags and emergency generators, purchasing flood insurance and moving valuable possessions to high-elevation areas.

"FEMA Region Eight is taking the weather forecasts that we watch very closely, so we are already preparing for outreach throughout the state of North Dakota," said Barb Fitzpatrick, the agency's floodplains specialist for the state.

The Red River at Grand Forks was at 26.43 feet Thursday. The area's flood stage is 28 feet, and water has a 10-25 percent chance of reaching major flooding of 46 feet, according to the National Weather Service.

The level of the Park River at Grafton, N.D., was at 7.41 feet Thursday, according to the National Weather Service. The area's flood stage is 12 feet, and the river has a 25-50 percent chance of reaching major flooding by mid-April. In October 2016, Grafton received a grant from the North Dakota State Water Commission to help fund a flood risk reduction project that includes back levees and a diversion channel.

The Pembina River at Neche, N.D., has a level of 5.53 feet Thursday. The town's flood stage is 18 feet, and the river has 75-90 percent chance of major flooding levels above 20.5 feet in April.

The Red River at Pembina, N.D., reaches the flood stage at 39 feet, and the area's level was 18.55 feet Thursday. The river has a 50-75 percent chance of exceeding 49 feet in mid-April.

Devils Lake Creel Bay's current water level is 1,450.22 feet, and the water level is 75-90 percent likely to reach 1,451.75 feet by late April.

Hoeven, R-N.D., said a primary takeaway from the meeting should be awareness that flood insurance must have been purchased at least 30 days in advance of any flooding for policyholders to make claims.

"People particularly have to pay attention in terms of buying their flood insurance, that they have it in place 30 days prior to any flooding so that it's effective," he said. "So we want to make sure to get that word out."

Although Thursday afternoon's meeting primarily informed attendees about flooding in the coming spring, Hoeven also emphasized the importance of towns having long-term solutions such as Grafton's flood risk management plan.

"The question is, if the water elevations keep going up, do they then have to take another step?" he said. "Because these things take time, we've got to be doing this planning on a continuous basis."

The flood of '97 from a new perspective: the stories of the storytellers

(WDAY, Fargo TV/radio)

By Kerstin Kealy on Feb 23, 2017 at 11:43 p.m.
https://www.wday.com/news/4224013-flood-97-new-perspective-stories-storytellers

FARGO — The flood of 1997 — instantly a memory, image or story might come to mind.
Over the years, we've looked back at the way that spring changed this region forever.
As we get ready to mark the 20-year anniversary tonight, a unique look back at the flood.
The stories of the storytellers.
"The water came up on us probably about a foot overnight where we're at. Our dike it's at its top right now and running over. Six inches more. Gave up. Can't fight it no more," from an interview in 1997.
The flood of 1997 devastated the Red River Valley from south to north.
"What were you going to do? Where are you going to go? How are you going to get out? There was no place. We couldn't even drive a car," from an interview in 1997.
It was a natural disaster months in the making.
"No heat. Water in the basement, seepage. So, it's been a miserable day," from an interview in 1997.
A record-shattering 117 inches of snow set the stage for record-setting flooding that would change the region forever.
"You have to see this to believe it. It is beyond anything any of us have experienced. The most devastating disaster North Dakota has ever been hit with," said Earl Pomeroy, North Dakota House, in an interview in 1997.
"The water was just unbelievable," said Austen Schauer, former WDAY News anchor/reporter.
"It was just such a weird time," said Mike Sweeney, former WDAY news photographer.
"Such a surreal experience," said Chad Peterson, former WDAY News photographer.
"It impacted everyone," said Kevin Wallevand, WDAY news reporter.
For the reporters and photographers who covered the people and stories of the '97 flood, the memories come back in waves.
"It was usually 7 in the morning until 11 at night, I think for 28 days," said Wallevand.
It would be water in its frozen form that would paralyze the Valley, starting an emotional and exhausting battle.
"I was lucky the house didn't start on fire because the service had been blown off and the wires were arcing," from a 1997 Interview.
April 5, a blizzard and ice storm, it was when things kicked into high gear for WDAY's News Team.

"I think a lot of people realized at that point that we were in trouble because power was going out everywhere. Poles were snapped," said Kerstin Kealy, WDAY anchor.
"It was like what else could Mother Nature give us?" said Schauer.
For photographer Mike Sweeney and reporter Austen Schauer, the storm brought a quick lesson in the power of rising and freezing water.
"Wahpeton's flooded but it's frozen. It was just strange," said Sweeney.
As the water moved north, our news teams followed.
For reporter/photographer team Kevin Wallevand and Chad Peterson that meant days capturing the frantic battle to save the tight-knit Oak Grove neighborhood.
"Hearing police talking through their intercoms. Neighbors of whatever community come and help restore this dike," said Chad Peterson, former WDAY News photographer.
"I was shoveling sand into a pile in the driveway and I seen these people running at me saying 'get out of here.' I've never seen people run like that in my life," from a 1997 Interview.
"We just started noticing water going and it didn't take long before we couldn't keep up with it," from an 1997 interview.
"Two hundred people sandbagging; you couldn't hear anything. Everyone was just like focused, we've got to saved this neighborhood," said Wallevand.
"It's just devastating," from a 1997 interview.
As the flood fight in the southern Valley unfolded, communities in the northern end of the Valley got an up-close look at the wall of water and the flood fight headed their way.
"And I was like oh my gosh, look at this. This is like a war zone," said Peterson.
"There were Guard troops coming down the road with their huge trucks busting through the ice. There was a helicopter from the Guard above us. People just looking like what is happening to our town," said Wallevand.
"This is something that this town was totally unprepared for," from a 1997 interview.
"You're seeing these senior citizens are climbing into a front-end loader and getting taken to an Army vehicle to get taken out. It's just like, how is this happening? How did it happen?" said Peterson.
"Those scenes from Ada (Minn.) are forever burned in the minds of anyone who lived there," said Wallevand.
Just outside of Ada, a different flood battle. Ken Visser's frantic fight to save cattle that broke through frozen floodwater and were drowning.
"Busted loose. Help him, Scott. C'mon! We don't have much time. That's the pain right there. I guess if anyone has any compassion at all and watches an animal suffer and die," said Ken Visser, in a 1997 interview.
"A lot of people still remember that. That was an impactful story," said Wallevand.
In towns or rural areas, nothing was immune from Mother Nature's wrath.
"I remember seeing the church out there like a little island," said Sweeney.
"It was those aerial images that gave us the pure scope of this flood and just how much water there was. Forum photographer Bruce Crummy rented a plane with a friend and brought us in pictures—a harsh reality," said Kealy.
"You know this was a target rich environment as they say because there was just water everywhere," said Crummy, former Forum photographer.
"Watching Grand Forks on fire in the middle of all of this water. That was also crazy," said Peterson.

"The main thing in my mind as mayor of this city at this time is the health and safety of all our people. We have no differences at this point. We are all in it together and we will survive," said Pat Owens, Grand Forks mayor, 1997 Interview.
The Flood of '97 was deadly. For anchor/reporter Austen Schauer, even after 20 years, the emotions of two mothers and two daughters lost were fresh.
"It was a mom and a 17-year-old daughter that were going to a rodeo and they had a horse trailer and there was a washed-out bridge, a little creek and they went right in," Shauer said. "And we were visiting with the sheriff and they were seeing what's going on and when they pulled the bodies out, he came back to us and he looked at us in the eyes and I'll never forget that his face was so white. It was like he had seen something horrible because he had. And then a week later, a pregnant woman had a 3-year-old daughter and the water was over the road. She turned right into Whiskey Creek and she died of elements. The next day the farmer found her and she was curled up in a fetal position with that little 3-year-old. And it wasn't good," said Schauer.
"I don't really feel like I knew at the time really what we were capturing," said Peterson.
"That's the one thing that we heard from the network TV crews and the national media that was in town was that they couldn't believe the community response," said Wallevand.
"There ain't much. Everybody's tired but everybody is pretty much helping everybody else out and doing the best they can with what they've got," from a 1997 interview.
"I remember how thankful everyone was," said Peterson.
"I have to really say thanks that's got homes their own selves that are flooded and they're out here helping us. I really appreciate it. It brings tears to you that somebody else is helping you," from a 1997 interview.
"I think we live in an area where you do that and it's just expected that you're going to help," said Wallevand.
"I've hardly ever seen such a remarkable demonstration of courage and commitment and cooperation and basic human strength. And we are very proud to be Americans when we see what you have done in the face of this natural disaster," said President Bill Clinton in a 1997 address in Grand Forks.
"That was a winter and spring no one will forget," said Wallevand.
So many communities were affected by the flooding, unfortunately we weren't able to touch on them all, it was an amazing time.
Some estimates have damages from the flood of '97 at $3.5 billion.

SOUTH DAKOTA:

No flooding expected for mighty Missouri River (Mitchell Daily Republic)

MITCHELL, S.D — After unseasonably warm temperatures in February melted much of the snow in the Dakotas, experts don't expect the Missouri River to flood in South Dakota this year.

Eileen Williamson, public affairs specialist with the United States Army Corps of Engineers' Northwestern Division based in Omaha, Nebraska, said mountain snowpack has increased recently, but much of the region's plains snow has already melted, making flooding in spring unlikely.

Still, Williamson said unpredictable weather in the Midwest can change forecasts, so USACE continues to monitor snow melt and weather patterns.

"We have to watch it because you just never know. A big rain storm, the snow pack can turn around and start climbing again, so we check it and monitor it and we're reporting the snowpack information every week," Williamson said.

As of Tuesday, the most recent data available, mountain snow totals above Fort Peck in Montana were 7 percent lower than average for this time of year, according to USACE, and there was no snowpack in South Dakota, except for small amounts in the Black Hills.

The snow has been disappearing since early February, when there was up to 1 inch of water equivalent in snow across the state and as much as 6 inches in northwest South Dakota and the Black Hills.

A Tuesday measurement showed the water level in the mainstem Missouri River system rose slightly as a "result of unseasonably warm temperatures" in the past week, bringing the total water storage to 78 percent of maximum, just inside the system's flood-control and multiple-use zone but well outside the exclusive flood-control zone.

Snowpack has been disappearing more slowly in North Dakota, where up to 6 inches of liquid content remains in the north-central part of the state, 28 percent more than usual between Fort Peck Dam and Garrison Dam, north of Bismarck, North Dakota.

But that snow is unlikely to cause flooding along the Missouri River in South Dakota. Williamson said the plains snowpack up north is more likely to cause local tributary flooding, rather than stress major reservoirs.

The last major flood of the Missouri River came because of high record snowfall in the Rocky Mountains of Montana and Wyoming. That, coupled with near-record spring rainfall in central and eastern Montana, caused all six of the Missouri River's major dams — including two in South Dakota — to release record amounts of water.

According to the National Weather Service, which forecasts flooding for tributaries in the Missouri River Basin from Missouri to Montana, only one location has more than a 40 percent chance of major flooding this year.

The James River near Grace City, North Dakota, has a 61 to 80 percent chance of major flooding. The river has between a 5 and 40 percent chance of major flooding at all locations through South Dakota, which is fairly typical.

Even in South Dakota, the James River, which runs east of Mitchell and connects with the Missouri River near Yankton, faces higher probabilities of minor flooding than other tributaries in the state. The White River southwest of Oacoma has an 80 percent chance of minor flooding, but the rest of the tributaries adjacent to the Missouri have a 20 percent chance or less.

South Dakota's snowpack could return with a snowstorm that began Thursday and is expected to end later today after dropping an estimated 10 inches of snow around Mitchell.

But because South Dakota is in the "pothole region" of the country, Williamson said much of that eventual snow melt could collect in little pools instead of flowing to tributaries, so USACE will monitor water levels as the weather warms.

While flooding is not a concern for now, Williamson said there could still be plenty of water for recreational activities on South Dakota's largest river, especially if the region is hit by strong spring rains.

"We can look at what the snowpack does and how much that shows up in the reservoirs, but as history has shown us, you can't base everything on the snowpack," Williamson said. "You have to watch the weather as well."

UTAH:

FEMA monitoring northern Utah floods, may respond if state asks for help
(KUTV Ch. 2, Salt Lake City)

by Jeremy Harris

Thursday, February 23rd 2017

(KUTV) – Federal officials are monitoring floods in northern Utah as local, county, and state officials help residents clean up and prevent further damage from rising waters which have affected hundreds of homes.

The Federal Emergency Management Agency (FEMA) confirmed they are in contact with state officials, but have not yet been requested to respond.

In an interview with 2NEWS Thursday morning, Spokesperson Jerry DeFelice said FEMA will assess the affected areas if Utah officials determine the clean-up is beyond their capacity.

“Once there is a decision to request FEMA, a preliminary damage assessment would be conducted,” DeFelice said.

Federal help would likely begin with the damage to public infrastructure, but could extend to individual homeowners if the state requests it. DeFelice described FEMA as being on “standby” to help.

Lt. Governor Spencer Cox said Wednesday that Utah will likely ask for emergency help from FEMA, but that request has not been made as of Thursday morning. Cox said he believed the threshold had been met to request federal assistance, but FEMA says the threshold is not a guarantee that federal assistance will be made available.

Governor Gary Herbert activated the National Guard to assist with flood prevention and clean-up Wednesday.

Utah Department of Public Safety public information officer Joe Dougherty said there have been nine declared flood disasters in Utah since the 1980's, and in none of those cases was financial assistance available for affected homeowners.

Dougherty added that state officials are providing assistance with sand bags and pumps to prevent further flood damage, but local officials are primarily handling the response for now.

Volunteer organizations, such as the Red Cross of Utah, have responded to northern Utah to offer immediate resources for homeowners who are dealing with floods.

Utah National Guard tends to Box Elder County flooding (Salt Lake Tribune)

By TAYLOR W. ANDERSON | The Salt Lake Tribune
First Published Feb 22 2017 12:30PM • Last Updated Feb 22 2017 09:53 pm

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The Utah National Guard went to Box Elder County on Wednesday to help with flooding problems that also brought out the lieutenant governor to view the scope of the damage.

Lt. Gov. Spencer Cox checked out the area that in recent days has been inundated with water from runoff of melting snow in the valleys.

Cox saw the extent of the water from the air and the ground.

"I don't think I really realized the scope of the flooding and just how wide and broad it was," Cox said by phone Wednesday night.

On Monday, floodwaters had poured into the yards and basements of up to 80 homes in Box Elder County. And in downtown Tremonton on Sunday night, flooding closed a section of Main Street, between 1000 and 2000 West.

Mark Millett, director of Box Elder County Emergency Services, said Monday that county officials likely would seek state and federal aid to offset an estimated $3.1 million in county flood-related costs.

Cox said the region would have to amass more than $4 million worth of damage before the state requests federal funding, a figure he said would likely be exceeded.

By Wednesday afternoon, 12 soldiers with the Guard's 97th Troop Command and Homeland Response Force were filling sandbags at the Box Elder County Fairgrounds, the Guard tweeted. Cox said 30,000 sandbags were filled to help prevent houses from being inundated.

Still, Cox said, one house in the area had 6 feet of water in the basement.

Cox said possibly hundreds of homes are battling water that rose along with the temperatures over the weekend and into the start of this week.

Emergency managers welcomed the latest winter storm that rolled into the area Tuesday night, bringing chances of snow and colder temperatures.

State of emergency declared in Garland due to flooding (Deseret News)

By Mike AndersonDeseret News and Keith McCord Deseret News
Published: Feb. 23, 2017 7:00 p.m. Updated: 14 hours ago

GARLAND, Box Elder County — City leaders in Garland have declared a state of emergency, as hundreds of homeowners continue to battle rising waters.
Garland Mayor Todd Miller says flooding tends to come to Garland every 10 years or so, but he's never seen it this bad.
"We are having a lot of problems because there's a lot of other cities that have been pumping and the county has been pumping down into fields, one after another, and now it's all just accumulating in Garland," Miller said, "so we're getting worse and worse now than we've been the whole time."
It's been flooding in the area for days, and pumps have been running nonstop.
"Almost every house in Garland's got groundwater problems," Miller said. "Almost every one of them's pumping out of their sump pumps."
By declaring a state of emergency, the city has been able to call on some extra resources, including help from the county and surrounding areas. In one neighborhood, large trucks pump up the water and then hauling it away.
"It just all came in a big gush underneath our fence and just completely filled up our backyards, and then you know the result of that was it coming into the basement," said homeowner Tonya McKee.
She moved into her home in May and she says it's the first time the house has ever flooded.
"This (pump) has been running every two to three minutes, nonstop since Sunday," McKee said. "Everything is ruined."
While she's not sure when everything will be cleaned up, she doesn't dare replace it yet.

WYOMING:

WY Fire Chief Dies After Helping Remove Ice Jams (firehouse.com)

Feb 21, 2017 ***Source:*** *Firehouse.com*
Editor's Note: We incorrectly noted that Chief Murdoch was from Montana, but it he is from Wyoming.

Funeral plans have been set for a longtime fire chief who passed away last week.

Greybull Fire Chief Paul Murdoch, 53, spent Feb. 16 removing ice jams from Bighorn River.

He was found unresponsive later that night, according to the Billings Gazette.

"Chief Murdoch will be greatly missed by the fire service and his community," Worland Fire Chief Chris Kocher said.

Murdoch joined the department in 1985 and was elected fire chief in 1997. According to his obituary, Murdoch's father was also fire chief.

Muroch is survived by his wife and two children.

The funeral is scheduled for Wednesday at 9:30 a.m. at Greybull High School.

Memorial contributions to be used for a scholarship based on volunteerism and community service can be made to: Big Horn Federal Savings Bank, P.O. Box 471, Greybull, WY 82426.

According to the U.S. Fire Administration, Murdoch's passing the 10th line-of-duty deaths in 2017.

Weather Service anticipates Snake Basin flooding (Jackson Hole News & Guide)

POSTED: TUESDAY, FEBRUARY 21, 2017 4:30 AM
By Mike Koshmrl Jackson Hole Daily Jackson Hole News&Guide | 1 comment

Portions of the Snake River watershed in Jackson Hole have as much as a 60 percent chance of flooding this coming spring and summer, the National Weather Service is predicting.

The runoff prediction comes as what is the normally coldest part of winter has passed, and spring runoff season is just around the corner.

The Jackson Hole streams and rivers that are considered most likely to overspill their banks as of mid-February are the Snake River itself above Jackson Lake, the Buffalo Fork, Flat and Fish creeks, and the drainages in the Snake River Range south of Teton Pass, flooding outlook maps show. Other portions of the region, including the western slope of the Teton Range, have just a low — 20 percent or less — chance of flooding. The majority of Jackson Hole is deemed to have a 20 to 40 percent likelihood of flooding, according to experts.

Weather Service staffers based in Riverton who prepare the outlook were unable to be reached for an interview on Monday, a federal holiday.

The predictions of what they expect come peak runoff are based on snow depths, soil moisture, conifer forest mortality from bark beetles and forecasted long-term temperatures and precipitation.

Averaged across the river basin, the Snake's snowpack as of Monday was exactly one and a half times the average. To no surprise, it's high-elevation SNOTEL monitoring sites in the Wyoming Range, at Grand Targhee and in Yellowstone National Park at Lewis Lake Divide that are holding the largest snowpacks — all contain more than 30 inches of water.

Lower-elevation monitoring sites are measuring heavy snowpacks, too. The weight of the snow at a 6,700-foot station at Granite Creek is 188 percent of the long-term median, while another 7,900-foot site down the highway at the Hoback Rim is at a whopping 211 percent of normal.

The Snake River's situation is not unique among other river basins in snow-loaded Wyoming and the West.

The Upper Green River basin's snowpack, for example, is 189 percent of the norm, while the Wind River basin comes in at 177 percent. The Riverton and Lander areas, the Weather Service predicts, are the most likely to flood in Wyoming.

The worst effects of high water from the spring melt in Jackson Hole are staved off by elaborate flood control infrastructure, including Jackson Lake Dam and a complex of massive stone levies that stretch along the Snake River from Grand Teton National Park to Munger Mountain.

FEMA-RELATED STORIES:

House Probes Flawed Management FEMA's Mobile Housing Program (Washington Examiner)

By Susan Ferrechio

Washington Examiner, February 23, 2017

A House committee is demanding information about the Federal Emergency Management Agency's distribution of emergency housing trailers, one of which overheated and caused the death of one man.

In a letter to FEMA Acting Administrator Robert Fenton Jr., Oversight Committee Chairman Jason Chaffetz, R-Utah, asked for documents related to FEMA's handling of requests and distribution of Manufactured Housing Units, which are intended for people left homeless after natural disasters.

During a February Oversight Committee staff visit, Chaffetz wrote to Fenton that, "committee staff discovered scores of unoccupied units sitting on a staging lot."

During an initial staff visit three weeks after the August flooding, only one MHU had been delivered, while another 110 units sat empty on a local lot and an additional 1,300 were available overall in FEMA's inventory, Chaffetz wrote.

In another instance, an elderly man was discovered dead in an overheated unit that inspectors said had been warmed to more than 137 degrees by a faulty heater that could not be turned off.

FEMA did not inquire about whether the faulty heater caused the man's death, despite reports that the agency had begun replacing faulty heaters and air conditioners in the housing units. Instead, FEMA told the Oversight panel, "there had been no deaths due to faulty MHUs or any efforts to replace a pattern of defective parts."

Chaffetz also asked FEMA to provide a list of policies and procedures about work quality oversight for the agency's Shelter at Home program. The program provides up to $15,000 in post-disaster repairs in order to allow people to remain in their homes.

Chaffetz said the program is plagued with "high administrative overhead costs," shoddy repairs and dissatisfaction among those enrolled in the program. He said a state survey found nearly 20

percent of those enrolled in Shelter at Home had not returned to their homes even though the repairs were made.

Baton Rouge Man "Baked To Death In A FEMA Trailer," Caregiver Says, As Congress Probes Agency's Handling Of Mobile Units (Baton Rouge Advocate)

Baton Rouge (LA) Advocate, February 23, 2017

Congress has ordered a review of FEMA's manufactured housing unit program after a Baton Rouge man was found dead inside a unit with an allegedly faulty heating and air unit.

"He was baked to death in a FEMA trailer," said Cathy Landry, friend and caregiver to the blind, 84-year-old Everett Wilson.

On Thursday, Congressman Jason Chaffetz, R-Utah, ordered FEMA to turn over records relating to flood recovery. He cited numerous problems with FEMA's manufactured housing program: trailers that cost more than new houses, units languishing unused on a staging lot, and Wilson's death.

Landry found Wilson unresponsive in bed on Oct. 25 in his trailer at 4250 Blount Road, where he was living after his home off O'Neal Lane flooded. Landry said she called authorities five times over 25 days to fix the heating and air in his trailer, noting the heat got so bad the day he died that unlit candles inside had melted.

When they entered the home, authorities found the thermostat reporting the temperature at only 50 degrees Fahrenheit, even as the ambient temperature climbed into the triple digits. "Attempts to turn off the unit would not stop hot air from blowing out of the vents," Chaffetz's letter states.

Even after an hour and a half in a cooling unit at the morgue, Wilson's body temperature registered at 110 degrees Fahrenheit, said parish coroner Dr. Beau Clark. Brain damage can begin once body temperatures reach around 107 to 109 degrees, he said.

Clark ruled the death accidental hyperthermia — overheating. The temperature inside the mobile home registered 124.4 degrees, and air coming out of vents measured as high as 137.9 degrees, the coroner said.

Wilson lost his sight about 17 years ago when a tumor damaged his optic nerve, Landry said. She noted that the blinds over one of his windows were askew when she found him; she believes Wilson tried to escape out the window before succumbing to the heat.

Clark noted that Wilson had some health issues related to his advanced age, but none are believed to have contributed to his death.

Landry said she met Wilson decades ago, and he had been friends with her father. Over the years, he became part of her family, since his relationships with his own family were strained.

She said he was a U.S. Air Force veteran who had worked on machinery and put a high value on education. When Landry's daughter was in first grade, Wilson made her promise to get good grades. When she graduated high school near the top of her class years later, her "paw paw," as she knew Wilson, bought her a car.

"I just want FEMA to stand up and admit they killed that sweet man," Landry said.

Thursday, residents at Leo's Park, the site on Blount where Wilson died, said they had moved into the park since the incident and did not know it occurred.

Wilson's unit is still there, the locks and knobs taped shut. A sign on the door reads "Do not enter or move this unit without notifying FEMA security."

Everett's death has raised questions about the safety of all trailers. Local Republican Congressman Garret Graves said his office received a call from an anonymous tipster who said he was involved in manufactured housing deployment and alleged the agency destroyed 60 to 80 faulty

units following Everett's death. Graves said his office has yet to determine whether that's true, but if it is "that would have been an extraordinary waste."

In a prepared response, a FEMA spokesman wrote that they were notified of a death in a Louisiana manufactured housing unit in October but "have not identified any systemic issues within the manufactured housing units. Out of an abundance of caution, at that time, FEMA decided to replace the thermostats of the occupied MHUs manufactured before 2016 as a part of our regularly scheduled maintenance checks that occur about once a month."

The agency did not respond specifically to Wilson's death.

The circumstances leading to the overheating death demonstrate "a major screw-up," Graves said. Moreover, a review of FEMA's response to the August flood has found "so many flaws that really impeded the recovery" and "fleeced" taxpayers, he continued.

Congressional staff first visited Louisiana to inspect the FEMA response in August, after the flood. They followed up on Feb. 15 and 16 when they collected information that was included in the recent records request.

Wilson's death is one of several concerns that's prompted the House Committee on Oversight and Government Reform to demand FEMA officials turn their records over. Chaffetz, as chairman, has asked for documents listing deaths and injuries inside manufactured housing units, repair records and other data. He's also requested analysis of the program compared to other temporary housing programs like Shelter at Home, plus costs and policies associated with that program. Graves said the committee will use documents provided by FEMA to look at ways disaster response can operate more smoothly.

Chaffetz raised concerns about the length of time it took to deliver mobile homes to flood survivors, specifically noting that three weeks after the disaster, just one person was living in a unit while others sat unused. The committee is also investigating the efficacy of the Shelter at Home program, which Graves said he loves — in theory.

It would be great to allow people to move back into partially restored homes rather than using manufactured housing units, the congressman said. However, Graves pointed to a story in The Advocate that demonstrated that many of the people who were offered the program did not feel the work was sufficient and chose not to move back home. If the program is to continue, it needs to become smarter and less wasteful, he said.

"We have additional questions about the implementation of the Shelter at Home program, including the efficiency of the program, both in its execution and high administrative overhead costs," Chaffetz's letter states. "Reports of shoddy repairs performed at costs beyond value are an indication of a serious problem."

FEMA Loses Dolly Battle; Disaster Aid Sparring Ends After Eight Years (Brownsville, TX, Herald)

By Gary Long

Brownsville (TX) Herald, February 23, 2017

U.S. District Court in Brownsville has ordered the Federal Emergency Management Agency to reconsider applications for disaster relief from thousands of Rio Grande Valley homeowners who were denied assistance based on a secret FEMA rule after Hurricane Dolly struck the Texas Gulf Coast in 2008.

Senior U.S. District Judge Hilda Tagle issued the court's final judgment after an eight-year battle with FEMA on behalf of the homeowners, who were represented by Texas Rio Grande Legal Aid.

The court ruled Feb. 16 that FEMA violated federal law by using a secret rule to deny home-repair assistance to 24,027 families after Dolly struck.

Under the court order, FEMA must reconsider — without using the secret rule — all Dolly disaster-assistance applications filed by the 26 plaintiffs named in the suit and by any of the 7,000 members of La Union del Pueblo Entero, a plaintiff in the suit.

Jerome Wesevich, general counsel for Texas Rural Legal Aid, said the case boiled down to FEMA sending in dozens of inspectors after the storm who were neither qualified nor trained to inspect homes.

FEMA then directed the inspectors not to record any damage as "disaster related" unless they concluded that Dolly's relationship to the observed damage was "significant, obvious and without question."

The court ruled that use of this "secret standard of proof" violates federal law. Wesevich said that within months after Dolly struck, FEMA spokesman Charles Powell told a reporter that Valley homeowners received less FEMA aid than other communities because some homes were built from second-hand materials, so some of the damage was caused by faulty construction instead of the storm.

"Mr. Powell essentially told Valley homeowners that their damage was their own fault, and FEMA won't help them just because they are poor," Wesevich said. "That's not only offensive. It's illegal."

Congress allowed each family harmed by Dolly up to $28,000 in total disaster relief services. Many of the affected families were inside their homes when the hurricane struck. Yet FEMA did not record the families' eyewitness accounts of what they saw.

"Instead, FEMA sent untrained inspectors to apply a secret standard to decide which damages were caused by Dolly," Wesevich said. "When FEMA refused to disclose how it made its decisions, plaintiffs sued so they could see FEMA's standards, and claimed that FEMA does not offer disaster assistance benefits equally to low income families."

Wesevich said the ruling is important for people in the Valley and across the nation.

"Presidents declare over 50 disasters every year, after which FEMA distributes billions of dollars in assistance. Right now, no one knows how FEMA decides who gets assistance. This ruling indicates that FEMA has to do a better job of explaining how it makes its decisions."

Wesevich said FEMA resisted the plaintiffs' demands "at every turn. … All we're talking about is a government program. All we were asking FEMA to do is when you make rules, you have to tell people what they are. That's not that hard."

Augustina Iglesias was one of the plaintiffs in the case and among those whose homes were most severely damaged.

"The court ruled in our favor, and, of course, we're happy about that," Iglesias said. "But it's been eight years since Dolly struck, and thousands of people in the Valley still haven't gotten any financial assistance from the federal government. Dolly tore apart our homes, and we've had to rebuild and repair as best we can on our own."

A single mother, Iglesias said she was inside her home with her five children when Dolly struck. They watched water rise several inches inside their home, and they heard the wind rip shingles and siding off the outside of the house. Because FEMA denied repair assistance, Iglesias had friends install a two-by-four in her living room as a makeshift joist to prevent her ceiling from caving in.

Any resident of Hidalgo, Cameron or Willacy County who applied to FEMA for Dolly assistance and did not receive all of the home repair aid they believe is due may call TRLA's Disaster Hotline at (866) 757-1570.

Region VIII Clips
Friday, Feb 24, 2017

ANALYSIS

- *Colorado:* A storm caused traffic problems in the Denver metro area Thursday, but the affects were minimal by Friday morning.
- *Montana:* A Billings contractor has agreed to plead guilty to federal corruption charges, including defrauding FEMA in connection with contracts for the Chippewa Cree tribe after the 2010 floods.
- *North Dakota:* Several stories report on Thursday's meeting in Drayton on flood preparedness led by the state's two Senators. Some focus on the town's temporary levee, in place since 1997 and which should be taken down per federal regulations. The *Grand Forks Herald* story could not be accessed. (EA will contact KVL TV re its story.) … WDAY in Fargo begins a look back at the '97 flood; a video link is provided.
- *South Dakota:* The Mitchell *Daily Republic* reports that no flooding is expected on the Missouri in South Dakota this year. For the entire Missouri basin, only the James River in North Dakota has a chance of flooding greater than 40 percent, per the National Weather Service.
- *Utah:* Several stories report on the flooding in Box Elder County, including the possibility that the state will request federal help. Many homes are said to have basement flooding, and damage estimates are said to be $3.1 million.
- *Wyoming:* The Greybull fire chief died last week after spending the day working on ice jams… Parts of the Snake River Basin in Jackson Hole have a 60 percent chance of flooding this spring, according to the National Weather Service. The NWS says Riverton and Lander have the most likelihood of flooding in Wyoming.
- *Other FEMA-related stories:* A Washington story on the request for information about FEMA's mobile housing units by Congressman Jason Chaffetz of Utah includes criticism of the Shelter at Home program. A second story from the *Baton Rouge Advocate* gives details on the problems that led to the death of an MHU resident. … A Texas story reports on FEMA losing a court battle about aid given after Hurricane Dolly when inspectors denied assistance for homes built of secondhand materials on the basis that the damage was likely from poor construction rather than the hurricane.

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The flood of '97 from a new perspective: the stories of the storytellers (WDAY, Fargo TV/radio)

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FEMA monitoring northern Utah floods, may respond if state asks for help (KUTV Ch. 2, Salt Lake City)

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State of emergency declared in Garland due to flooding (Deseret News)

WYOMING:

WY Fire Chief Dies After Helping Remove Ice Jams (firehouse.com)

FEMA-RELATED STORIES

You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

House Probes Flawed Management FEMA's Mobile Housing Program (Washington Examiner)

Baton Rouge Man "Baked To Death In A FEMA Trailer," Caregiver Says, As Congress Probes Agency's Handling Of Mobile Units (Baton Rouge Advocate)

FEMA Loses Dolly Battle; Disaster Aid Sparring Ends After Eight Years (Brownsville, TX, Herald)

STORIES

COLORADO:

Scattered snow flurries in Denver; few disruptions on morning commute
(Denver Post)

By Kirk Mitchell | kmitchell@denverpost.com | The Denver Post
PUBLISHED: February 24, 2017 at 7:57 am | UPDATED: February 24, 2017 at 8:30 am

Light snow flurries are expected for one more day in the Denver area before the storm moves east and a gradual warming trend begins, forecasters say.

Unlike Thursday evening's commute where snowfall throughout the day created tough driving conditions in the foothills and mountains, so far traffic in the Denver metro area appears to be running smoothly.

Light snow flurries are expected for one more day in the Denver area before the storm moves east and a gradual warming trend begins, forecasters say.

Unlike Thursday evening's commute where snowfall throughout the day created tough driving conditions in the foothills and mountains, so far traffic in the Denver metro area appears to be running smoothly.

"We haven't seen too many crashes. The roads are in pretty good shape. There have been no road closures," said Stacia Sellers, spokeswoman for the Colorado Department of Transportation.

Crews treated the roads with chemicals in advance of the storm and stayed out through Thursday night keeping highways and streets clear, Sellers said. They focused on the interstates, bridges, overpasses and ramps, she said.

There is a 20 percent chance of snow through Friday, according to the NWS. The snow will taper off in the evening and it will get very cold at night.

In the mountains, between 1 and 3 inches of new snow is expected Friday.

The high temperature Friday will be around 26, according to the National Weather Service in Boulder. The low Friday night will be around 10 degrees, but the wind chill factor will make it feel like minus 3 degrees.

A slight warm-up starts Saturday with a high of 35. Temperatures will continue to climb to 39 on Sunday and 43 on Monday. The average high temperature for this time of year usually falls in the upper 40s. February has been unusually warm and four high temperature records have been set so far this month.

A slight chance for snow returns to the forecast Tuesday after 11 a.m., the weather service predicts. The high will be about 39 degrees. Expect highs of 44 on Wednesday and 50 by Thursday.

MONTANA:

Billings contractor to settle corruption charges; sale of company pending
(Billings Gazette)

By CLAIR JOHNSON cjohnson@billingsgazette.com

A Billings contractor and his company, CMG Construction Inc., have agreed to admit to federal crimes in a corruption probe involving the Chippewa Cree Tribe in northcentral Montana amid the pending sale of the company.

Kevin McGovern, president of CMG, is expected to plead guilty to wire fraud and to theft from an Indian tribal organization as part of a deal with prosecutors to settle three separate indictments.

In addition, CMG is to admit to a false claim charge in a case that accused it and McGovern of conspiring with others to defraud the Federal Emergency Management Agency of money it provided to the tribe to help with recovery from a 2010 flood that destroyed the tribe's health clinic.

The indictments accused McGovern, CMG and another of McGovern's companies, MC Equipment Holdings LLC, of a series of crimes to defraud the federal government and the Chippewa Cree Tribe on the Rocky Boy's Reservation.

Prosecutors have agreed to recommend a prison sentence for McGovern that will not exceed six years.

The agreements are outlined in documents unsealed this week by U.S. District Judge Brian Morris of Great Falls.

Morris set a plea change hearing in the cases for March 1.

The plea agreements are contingent on the judge's approval at sentencing.

Unsealed

Morris, who had temporarily sealed the documents, ultimately rejected a defense effort to keep the records sealed. The judge said that sealing the documents would violate the public's and the press' right to access records under the First Amendment and would violate a victim's right to be included in court processes under the Crime Victim Rights Act.

In an order filed Wednesday, Morris said there was "no compelling reason" to seal the plea agreements because McGovern already had notified the prospective buyer of his company of his pending plea change.

McGovern, through his attorneys, had argued that while the buyer of CMG had been informed of the pending settlement, immediate publication of the plea agreements would "have a negative consequence on the prospective sale."

The result, the defense said, would be the loss of jobs for 150 CMG employees and provide less money for McGovern and the government for fines and restitution. The buyer's identity was not disclosed.

Assistant U.S. Attorney Ryan Weldon had objected to sealing the documents, citing the public's right to know and victim's rights. Sealing the records also would only delay the inevitable, he said in court records.

McGovern and his attorneys, Mark Parker of Billings and Jeremy Yellin of Havre, could not be reached for comment on Thursday.

The cases

Based in Billings and in Liberty Hill, Texas, CMG is a privately owned company with McGovern as its president and sole principal, the company's website said.

CMG formed in 2004 and specializes in site preparation and construction and serves Montana, the western Dakotas and northern Wyoming. Locally, the company was a subcontractor on the new $80 million James F. Battin Federal Courthouse in Billings. And last year, Rocky Mountain College hired CMG as the general contractor for major construction projects underway at the college.

The pending settlement is the latest in a series of successful prosecutions by the Montana U.S. Attorney's Office and the Department of Interior's Office of the Inspector General into massive corruption involving tribal members and non-tribal members.

The investigations involved, among other things, contracts for work involving funding for the tribe from FEMA and from the Bureau of Reclamation's water project to bring potable water to the Rocky Boy's Reservation.

McGovern's settlement with prosecutors comes as he and CMG were to be sentenced on Feb. 16 after being convicted by a jury in November on conspiracy and bribery charges. Morris recently denied McGovern's request for a new trial.

The bribery case involved a contract kickback scheme in which prosecutors said McGovern and CMG conspired with former tribal official Tony Belcourt to get preferential treatment on FEMA contracts for projects related to the flooding and destruction of the tribe's health clinic.

NORTH DAKOTA:

Flood of solutions: Senators, city leaders discuss spring flood preparation in northeast North Dakota (GF Herald)

Grand Forks Herald
The **Red River** at Grand Forks was at 26.43 feet Thursday. The area's **flood** stage is 28 feet, and water has a 10-25 percent chance of reaching major ...

US Senators Review Flood Preparation In NE North Dakota (AP)

Associated Press, February 23, 2017

DRAYTON, N.D. (AP) — North Dakota's two U.S. senators are trying to help communities in northeastern North Dakota and the Devils Lake Basin prepare for possible major flooding this spring.

Republican Sen. John Hoeven led a tour and meeting in Drayton on Thursday with federal, state and local officials. Democratic Sen. Heidi Heitkamp also joined the group.

Hoeven brought together the group, which included representatives from the U.S. Army Corps of Engineers and the Federal Emergency Management Agency. With a recent flood outlook showing the possibility of major flooding this spring, he says the tour was aimed at ensuring communities in northeastern North Dakota "are as prepared as possible."

Both Hoeven and Heitkamp noted that the upcoming 20th anniversary of the devastating 1997 flood shows the need for comprehensive flood control in North Dakota.

Quirky government rule keeps small town vulnerable to floods (KVLY, Fargo TV)

www.valleynewslive.com/video/?vid=414678384

By Ryan Laughlin |
Posted: Thu 8:35 PM, Feb 23, 2017 |
Updated: Thu 9:42 PM, Feb 23, 2017

DRAYTON, N.D. (Valley News Live) Flood waters are rising. Some smaller communities are much more vulnerable to the threat of flooding.

In Drayton, soon the water is going to rise and when it does concerns will follow about the uncertain flood protection plan that's in place

"I think it's frustration because nothing is happening," said Ron Corrick a Drayton business owner.
"We keep talking about it. We have lots of meetings and not much happens," Corrick said.

Drayton's dikes have protected the city since the 97 flood, but a quirky federal rule could put the town at risk.

"The FEMA buyout property, they wanted us to take the dikes out in that section of each property, which makes no sense. Because what we have going there now works," Corrick said.

FEMA bought out flood-way protection land along the Red River in Drayton. But, FEMA says no structures can be on that land. Apparently, dikes are considered a structure.

For the first time, FEMA and North Dakota's senators came together in front of people looking for government solution to government created problem.

"Under FEMA's rules they'd have to be taken down. That makes no sense. Again, that's the federal one size fits all, that they're applying that rule to everybody," said North Dakota Senator (R) John Hoeven. "But, that actually hurts this community because it takes away their protection."

Senator Hoeven is working on legislation to save the dikes, in the meantime an extension is set to run out in March and anxiety in town is raising with the water.

"They haven't really got an answer for us that we can leave them up. It looks like they're going to have to grant us another extension," Corrick said.

Uncertainty still remains about the permanent flood protection plan for Drayton, but people hope it will come to permanent solution quickly.

Much of the Upper Red River Valley is supposed to face moderate flooding this spring. The only major flood forecast in North Dakota is north section of the Devils Lake Basin.

One small town could lose its only barrier for floodwaters (WDAZ TV, Grand Forks)

By Ken Chase Today at 12:25 a.m.

DRAYTON, ND (WDAZ-TV) - A local town is running out of time.

One small town could lose its only barrier for floodwaters.

One dike in Drayton is keeping local residents safe as they worry about rising water in the coming weeks.

Bill Tuttle, Drayton Resident: "The dike is right here. These used to be all properties along here."

Bill Tuttle lives just feet from the Red River.

He says the changes Drayton has made since the flood of '97, like adding the dikes, have saved the town.

"There was three, four homes set up in here that are gone now that were bought out with flood monies to put the dike in place that's here now," says Tuttle.

But FEMA says there can't be dikes on federal land.

The feds wanted to remove the dikes and have the cost come out of Drayton's coffers.

Last fall's original tear-down date was extended, but only until the end of next month.

As the Red rises, residents worry.

The city's superintendent wants the dikes to stay.

Nick Rutherford, City Superintendent: "I would hate to see it. I mean it's a big chore."

The National Weather Service estimates a peak in flooding in Drayton in the coming weeks.

The river's level is already at 28 feet.

It could handle another 20 foot rise, but only if the dikes are in place.

Without the dikes, people fear the town could be under water.

Tuttle: "We would have sewage and water backed up in all of these properties along the river here."

The dikes are part of a bill that could be approved at the end of next month.

If not, Senator John Hoeven's office says he'll ask FEMA for another extension to hopefully get the town through the spring flood.

Northeast ND Preparing For Flood; Officials Urge Buying Insurance (Bemidji, MN Pioneer)

By Julia Cardi

Bemidji (MN) Pioneer, February 23, 2017

"It's always tough to find resources in a community of 900 people," said Heitkamp, D-N.D. "I think a lot of times they feel like they've gotten left behind. ... (It's) important to realize that these small communities that help farmers are really the rockbed of the economy of our state, so they can't be left behind."

Flood risks remain highest in the northern valley and the Devils Lake Basin and are lower in the southern valley.

Grafton, Neche, Pembina and Creel Bay at Devils Lake are expected to see the most flooding, according to National Weather Service meteorologist Gregory Gust. The Grand Forks area is likely to see moderate flooding, he said, which is normal.

Officials from the Army Corps of Engineers and the Federal Emergency Management Agency urged residents to begin preparations for flood conditions as soon as possible, such as acquiring sandbags and emergency generators, purchasing flood insurance and moving valuable possessions to high-elevation areas.

"FEMA Region Eight is taking the weather forecasts that we watch very closely, so we are already preparing for outreach throughout the state of North Dakota," said Barb Fitzpatrick, the agency's floodplains specialist for the state.

The Red River at Grand Forks was at 26.43 feet Thursday. The area's flood stage is 28 feet, and water has a 10-25 percent chance of reaching major flooding of 46 feet, according to the National Weather Service.

The level of the Park River at Grafton, N.D., was at 7.41 feet Thursday, according to the National Weather Service. The area's flood stage is 12 feet, and the river has a 25-50 percent chance of reaching major flooding by mid-April. In October 2016, Grafton received a grant from the North Dakota State Water Commission to help fund a flood risk reduction project that includes back levees and a diversion channel.

The Pembina River at Neche, N.D., has a level of 5.53 feet Thursday. The town's flood stage is 18 feet, and the river has 75-90 percent chance of major flooding levels above 20.5 feet in April.

The Red River at Pembina, N.D., reaches the flood stage at 39 feet, and the area's level was 18.55 feet Thursday. The river has a 50-75 percent chance of exceeding 49 feet in mid-April.

Devils Lake Creel Bay's current water level is 1,450.22 feet, and the water level is 75-90 percent likely to reach 1,451.75 feet by late April.

Hoeven, R-N.D., said a primary takeaway from the meeting should be awareness that flood insurance must have been purchased at least 30 days in advance of any flooding for policyholders to make claims.

"People particularly have to pay attention in terms of buying their flood insurance, that they have it in place 30 days prior to any flooding so that it's effective," he said. "So we want to make sure to get that word out."

Although Thursday afternoon's meeting primarily informed attendees about flooding in the coming spring, Hoeven also emphasized the importance of towns having long-term solutions such as Grafton's flood risk management plan.

"The question is, if the water elevations keep going up, do they then have to take another step?" he said. "Because these things take time, we've got to be doing this planning on a continuous basis."

The flood of '97 from a new perspective: the stories of the storytellers

(WDAY, Fargo TV/radio)

By Kerstin Kealy on Feb 23, 2017 at 11:43 p.m.

https://www.wday.com/news/4224013-flood-97-new-perspective-stories-storytellers

FARGO — The flood of 1997 — instantly a memory, image or story might come to mind.

Over the years, we've looked back at the way that spring changed this region forever.

As we get ready to mark the 20-year anniversary tonight, a unique look back at the flood.

The stories of the storytellers.

"The water came up on us probably about a foot overnight where we're at. Our dike it's at its top right now and running over. Six inches more. Gave up. Can't fight it no more," from an interview in 1997.

The flood of 1997 devastated the Red River Valley from south to north.

"What were you going to do? Where are you going to go? How are you going to get out? There was no place. We couldn't even drive a car," from an interview in 1997.

It was a natural disaster months in the making.

"No heat. Water in the basement, seepage. So, it's been a miserable day," from an interview in 1997.

A record-shattering 117 inches of snow set the stage for record-setting flooding that would change the region forever.

"You have to see this to believe it. It is beyond anything any of us have experienced. The most devastating disaster North Dakota has ever been hit with," said Earl Pomeroy, North Dakota House, in an interview in 1997.

"The water was just unbelievable," said Austen Schauer, former WDAY News anchor/reporter.

"It was just such a weird time," said Mike Sweeney, former WDAY news photographer.

"Such a surreal experience," said Chad Peterson, former WDAY News photographer.

"It impacted everyone," said Kevin Wallevand, WDAY news reporter.

For the reporters and photographers who covered the people and stories of the '97 flood, the memories come back in waves.

"It was usually 7 in the morning until 11 at night, I think for 28 days," said Wallevand.

It would be water in its frozen form that would paralyze the Valley, starting an emotional and exhausting battle.

"I was lucky the house didn't start on fire because the service had been blown off and the wires were arcing," from a 1997 Interview.

April 5, a blizzard and ice storm, it was when things kicked into high gear for WDAY's News Team.

"I think a lot of people realized at that point that we were in trouble because power was going out everywhere. Poles were snapped," said Kerstin Kealy, WDAY anchor.

"It was like what else could Mother Nature give us?" said Schauer.

For photographer Mike Sweeney and reporter Austen Schauer, the storm brought a quick lesson in the power of rising and freezing water.

"Wahpeton's flooded but it's frozen. It was just strange," said Sweeney.

As the water moved north, our news teams followed.

For reporter/photographer team Kevin Wallevand and Chad Peterson that meant days capturing the frantic battle to save the tight-knit Oak Grove neighborhood.

"Hearing police talking through their intercoms. Neighbors of whatever community come and help restore this dike," said Chad Peterson, former WDAY News photographer.

"I was shoveling sand into a pile in the driveway and I seen these people running at me saying 'get out of here.' I've never seen people run like that in my life," from a 1997 Interview.

"We just started noticing water going and it didn't take long before we couldn't keep up with it," from an 1997 interview.

"Two hundred people sandbagging; you couldn't hear anything. Everyone was just like focused, we've got to saved this neighborhood," said Wallevand.

"It's just devastating," from a 1997 interview.

As the flood fight in the southern Valley unfolded, communities in the northern end of the Valley got an up-close look at the wall of water and the flood fight headed their way.

"And I was like oh my gosh, look at this. This is like a war zone," said Peterson.

"There were Guard troops coming down the road with their huge trucks busting through the ice. There was a helicopter from the Guard above us. People just looking like what is happening to our town," said Wallevand.

"This is something that this town was totally unprepared for," from a 1997 interview.

"You're seeing these senior citizens are climbing into a front-end loader and getting taken to an Army vehicle to get taken out. It's just like, how is this happening? How did it happen?" said Peterson.

"Those scenes from Ada (Minn.) are forever burned in the minds of anyone who lived there," said Wallevand.

Just outside of Ada, a different flood battle. Ken Visser's frantic fight to save cattle that broke through frozen floodwater and were drowning.

"Busted loose. Help him, Scott. C'mon! We don't have much time. That's the pain right there. I guess if anyone has any compassion at all and watches an animal suffer and die," said Ken Visser, in a 1997 interview.

"A lot of people still remember that. That was an impactful story," said Wallevand.

In towns or rural areas, nothing was immune from Mother Nature's wrath.

"I remember seeing the church out there like a little island," said Sweeney.

"It was those aerial images that gave us the pure scope of this flood and just how much water there was. Forum photographer Bruce Crummy rented a plane with a friend and brought us in pictures—a harsh reality," said Kealy.

"You know this was a target rich environment as they say because there was just water everywhere," said Crummy, former Forum photographer.

"Watching Grand Forks on fire in the middle of all of this water. That was also crazy," said Peterson.

"The main thing in my mind as mayor of this city at this time is the health and safety of all our people. We have no differences at this point. We are all in it together and we will survive," said Pat Owens, Grand Forks mayor, 1997 Interview.

The Flood of '97 was deadly. For anchor/reporter Austen Schauer, even after 20 years, the emotions of two mothers and two daughters lost were fresh.

"It was a mom and a 17-year-old daughter that were going to a rodeo and they had a horse trailer and there was a washed-out bridge, a little creek and they went right in," Shauer said. "And we were visiting with the sheriff and they were seeing what's going on and when they pulled the bodies out, he came back to us and he looked at us in the eyes and I'll never forget that his face was so white. It was like he had seen something horrible because he had. And then a week later, a pregnant woman had a 3-year-old daughter and the water was over the road. She turned right into Whiskey Creek and she died of elements. The next day the farmer found her and she was curled up in a fetal position with that little 3-year-old. And it wasn't good," said Schauer.

"I don't really feel like I knew at the time really what we were capturing," said Peterson.

"That's the one thing that we heard from the network TV crews and the national media that was in town was that they couldn't believe the community response," said Wallevand.

"There ain't much. Everybody's tired but everybody is pretty much helping everybody else out and doing the best they can with what they've got," from a 1997 interview.

"I remember how thankful everyone was," said Peterson.

"I have to really say thanks that's got homes their own selves that are flooded and they're out here helping us. I really appreciate it. It brings tears to you that somebody else is helping you," from a 1997 interview.

"I think we live in an area where you do that and it's just expected that you're going to help," said Wallevand.

"I've hardly ever seen such a remarkable demonstration of courage and commitment and cooperation and basic human strength. And we are very proud to be Americans when we see what you have done in the face of this natural disaster," said President Bill Clinton in a 1997 address in Grand Forks.

"That was a winter and spring no one will forget," said Wallevand.

So many communities were affected by the flooding, unfortunately we weren't able to touch on them all, it was an amazing time.

Some estimates have damages from the flood of '97 at $3.5 billion.

SOUTH DAKOTA:

No flooding expected for mighty Missouri River (Mitchell Daily Republic)

MITCHELL, S.D — After unseasonably warm temperatures in February melted much of the snow in the Dakotas, experts don't expect the Missouri River to flood in South Dakota this year.

Eileen Williamson, public affairs specialist with the United States Army Corps of Engineers' Northwestern Division based in Omaha, Nebraska, said mountain snowpack has increased recently, but much of the region's plains snow has already melted, making flooding in spring unlikely.

Still, Williamson said unpredictable weather in the Midwest can change forecasts, so USACE continues to monitor snow melt and weather patterns.

"We have to watch it because you just never know. A big rain storm, the snow pack can turn around and start climbing again, so we check it and monitor it and we're reporting the snowpack information every week," Williamson said.

As of Tuesday, the most recent data available, mountain snow totals above Fort Peck in Montana were 7 percent lower than average for this time of year, according to USACE, and there was no snowpack in South Dakota, except for small amounts in the Black Hills.

The snow has been disappearing since early February, when there was up to 1 inch of water equivalent in snow across the state and as much as 6 inches in northwest South Dakota and the Black Hills.

A Tuesday measurement showed the water level in the mainstem Missouri River system rose slightly as a "result of unseasonably warm temperatures" in the past week, bringing the total water storage to 78 percent of maximum, just inside the system's flood-control and multiple-use zone but well outside the exclusive flood-control zone.

Snowpack has been disappearing more slowly in North Dakota, where up to 6 inches of liquid content remains in the north-central part of the state, 28 percent more than usual between Fort Peck Dam and Garrison Dam, north of Bismarck, North Dakota.

But that snow is unlikely to cause flooding along the Missouri River in South Dakota. Williamson said the plains snowpack up north is more likely to cause local tributary flooding, rather than stress major reservoirs.

The last major flood of the Missouri River came because of high record snowfall in the Rocky Mountains of Montana and Wyoming. That, coupled with near-record spring rainfall in central and eastern Montana, caused all six of the Missouri River's major dams — including two in South Dakota — to release record amounts of water.

According to the National Weather Service, which forecasts flooding for tributaries in the Missouri River Basin from Missouri to Montana, only one location has more than a 40 percent chance of major flooding this year.

The James River near Grace City, North Dakota, has a 61 to 80 percent chance of major flooding. The river has between a 5 and 40 percent chance of major flooding at all locations through South Dakota, which is fairly typical.

Even in South Dakota, the James River, which runs east of Mitchell and connects with the Missouri River near Yankton, faces higher probabilities of minor flooding than other tributaries in the state. The White River southwest of Oacoma has an 80 percent chance of minor flooding, but the rest of the tributaries adjacent to the Missouri have a 20 percent chance or less.

South Dakota's snowpack could return with a snowstorm that began Thursday and is expected to end later today after dropping an estimated 10 inches of snow around Mitchell.

But because South Dakota is in the "pothole region" of the country, Williamson said much of that eventual snow melt could collect in little pools instead of flowing to tributaries, so USACE will monitor water levels as the weather warms.

While flooding is not a concern for now, Williamson said there could still be plenty of water for recreational activities on South Dakota's largest river, especially if the region is hit by strong spring rains.

"We can look at what the snowpack does and how much that shows up in the reservoirs, but as history has shown us, you can't base everything on the snowpack," Williamson said. "You have to watch the weather as well."

UTAH:

FEMA monitoring northern Utah floods, may respond if state asks for help
(KUTV Ch. 2, Salt Lake City)

by Jeremy Harris

Thursday, February 23rd 2017

(KUTV) – Federal officials are monitoring floods in northern Utah as local, county, and state officials help residents clean up and prevent further damage from rising waters which have affected hundreds of homes.

The Federal Emergency Management Agency (FEMA) confirmed they are in contact with state officials, but have not yet been requested to respond.

In an interview with 2NEWS Thursday morning, Spokesperson Jerry DeFelice said FEMA will assess the affected areas if Utah officials determine the clean-up is beyond their capacity.

“Once there is a decision to request FEMA, a preliminary damage assessment would be conducted,” DeFelice said.

Federal help would likely begin with the damage to public infrastructure, but could extend to individual homeowners if the state requests it. DeFelice described FEMA as being on “standby” to help.

Lt. Governor Spencer Cox said Wednesday that Utah will likely ask for emergency help from FEMA, but that request has not been made as of Thursday morning. Cox said he believed the threshold had been met to request federal assistance, but FEMA says the threshold is not a guarantee that federal assistance will be made available.

Governor Gary Herbert activated the National Guard to assist with flood prevention and clean-up Wednesday.

Utah Department of Public Safety public information officer Joe Dougherty said there have been nine declared flood disasters in Utah since the 1980's, and in none of those cases was financial assistance available for affected homeowners.

Dougherty added that state officials are providing assistance with sand bags and pumps to prevent further flood damage, but local officials are primarily handling the response for now.

Volunteer organizations, such as the Red Cross of Utah, have responded to northern Utah to offer immediate resources for homeowners who are dealing with floods.

Utah National Guard tends to Box Elder County flooding (Salt Lake Tribune)

By TAYLOR W. ANDERSON | The Salt Lake Tribune
First Published Feb 22 2017 12:30PM • Last Updated Feb 22 2017 09:53 pm

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The Utah National Guard went to Box Elder County on Wednesday to help with flooding problems that also brought out the lieutenant governor to view the scope of the damage.

Lt. Gov. Spencer Cox checked out the area that in recent days has been inundated with water from runoff of melting snow in the valleys.

Cox saw the extent of the water from the air and the ground.

"I don't think I really realized the scope of the flooding and just how wide and broad it was," Cox said by phone Wednesday night.

On Monday, floodwaters had poured into the yards and basements of up to 80 homes in Box Elder County. And in downtown Tremonton on Sunday night, flooding closed a section of Main Street, between 1000 and 2000 West.

Mark Millett, director of Box Elder County Emergency Services, said Monday that county officials likely would seek state and federal aid to offset an estimated $3.1 million in county flood-related costs.

Cox said the region would have to amass more than $4 million worth of damage before the state requests federal funding, a figure he said would likely be exceeded.

By Wednesday afternoon, 12 soldiers with the Guard's 97th Troop Command and Homeland Response Force were filling sandbags at the Box Elder County Fairgrounds, the Guard tweeted. Cox said 30,000 sandbags were filled to help prevent houses from being inundated.

Still, Cox said, one house in the area had 6 feet of water in the basement.

Cox said possibly hundreds of homes are battling water that rose along with the temperatures over the weekend and into the start of this week.

Emergency managers welcomed the latest winter storm that rolled into the area Tuesday night, bringing chances of snow and colder temperatures.

State of emergency declared in Garland due to flooding (Deseret News)

By Mike AndersonDeseret News and Keith McCord Deseret News
Published: Feb. 23, 2017 7:00 p.m. Updated: 14 hours ago

GARLAND, Box Elder County — City leaders in Garland have declared a state of emergency, as hundreds of homeowners continue to battle rising waters.
Garland Mayor Todd Miller says flooding tends to come to Garland every 10 years or so, but he's never seen it this bad.
"We are having a lot of problems because there's a lot of other cities that have been pumping and the county has been pumping down into fields, one after another, and now it's all just accumulating in Garland," Miller said, "so we're getting worse and worse now than we've been the whole time."
It's been flooding in the area for days, and pumps have been running nonstop.
"Almost every house in Garland's got groundwater problems," Miller said. "Almost every one of them's pumping out of their sump pumps."
By declaring a state of emergency, the city has been able to call on some extra resources, including help from the county and surrounding areas. In one neighborhood, large trucks pump up the water and then hauling it away.
"It just all came in a big gush underneath our fence and just completely filled up our backyards, and then you know the result of that was it coming into the basement," said homeowner Tonya McKee.
She moved into her home in May and she says it's the first time the house has ever flooded.
"This (pump) has been running every two to three minutes, nonstop since Sunday," McKee said. "Everything is ruined."
While she's not sure when everything will be cleaned up, she doesn't dare replace it yet.

WYOMING:

WY Fire Chief Dies After Helping Remove Ice Jams (firehouse.com)

Feb 21, 2017 ***Source:*** *Firehouse.com*

Weather Service anticipates Snake Basin flooding (Jackson Hole News & Guide)

POSTED: TUESDAY, FEBRUARY 21, 2017 4:30 AM

By Mike Koshmrl Jackson Hole Daily | **1 comment**

Portions of the Snake River watershed in Jackson Hole have as much as a 60 percent chance of flooding this coming spring and summer, the National Weather Service is predicting.

The runoff prediction comes as what is the normally coldest part of winter has passed, and spring runoff season is just around the corner.

The Jackson Hole streams and rivers that are considered most likely to overspill their banks as of mid-February are the Snake River itself above Jackson Lake, the Buffalo Fork, Flat and Fish creeks, and the drainages in the Snake River Range south of Teton Pass, flooding outlook maps show. Other portions of the region, including the western slope of the Teton Range, have just a low — 20 percent or less — chance of flooding. The majority of Jackson Hole is deemed to have a 20 to 40 percent likelihood of flooding, according to experts.

Weather Service staffers based in Riverton who prepare the outlook were unable to be reached for an interview on Monday, a federal holiday.

The predictions of what they expect come peak runoff are based on snow depths, soil moisture, conifer forest mortality from bark beetles and forecasted long-term temperatures and precipitation.

Averaged across the river basin, the Snake's snowpack as of Monday was exactly one and a half times the average. To no surprise, it's high-elevation SNOTEL monitoring sites in the Wyoming Range, at Grand Targhee and in Yellowstone National Park at Lewis Lake Divide that are holding the largest snowpacks — all contain more than 30 inches of water.

Lower-elevation monitoring sites are measuring heavy snowpacks, too. The weight of the snow at a 6,700-foot station at Granite Creek is 188 percent of the long-term median, while another 7,900-foot site down the highway at the Hoback Rim is at a whopping 211 percent of normal.

The Snake River's situation is not unique among other river basins in snow-loaded Wyoming and the West.

The Upper Green River basin's snowpack, for example, is 189 percent of the norm, while the Wind River basin comes in at 177 percent. The Riverton and Lander areas, the Weather Service predicts, are the most likely to flood in Wyoming.

The worst effects of high water from the spring melt in Jackson Hole are staved off by elaborate flood control infrastructure, including Jackson Lake Dam and a complex of massive stone levies that stretch along the Snake River from Grand Teton National Park to Munger Mountain.

FEMA-RELATED STORIES:

House Probes Flawed Management FEMA's Mobile Housing Program (Washington Examiner)

By Susan Ferrechio

Washington Examiner, February 23, 2017

A House committee is demanding information about the Federal Emergency Management Agency's distribution of emergency housing trailers, one of which overheated and caused the death of one man.

In a letter to FEMA Acting Administrator Robert Fenton Jr., Oversight Committee Chairman Jason Chaffetz, R-Utah, asked for documents related to FEMA's handling of requests and distribution of Manufactured Housing Units, which are intended for people left homeless after natural disasters.

During a February Oversight Committee staff visit, Chaffetz wrote to Fenton that, "committee staff discovered scores of unoccupied units sitting on a staging lot."

During an initial staff visit three weeks after the August flooding, only one MHU had been delivered, while another 110 units sat empty on a local lot and an additional 1,300 were available overall in FEMA's inventory, Chaffetz wrote.

In another instance, an elderly man was discovered dead in an overheated unit that inspectors said had been warmed to more than 137 degrees by a faulty heater that could not be turned off.

FEMA did not inquire about whether the faulty heater caused the man's death, despite reports that the agency had begun replacing faulty heaters and air conditioners in the housing units. Instead, FEMA told the Oversight panel, "there had been no deaths due to faulty MHUs or any efforts to replace a pattern of defective parts."

Chaffetz also asked FEMA to provide a list of policies and procedures about work quality oversight for the agency's Shelter at Home program. The program provides up to $15,000 in post-disaster repairs in order to allow people to remain in their homes.

Chaffetz said the program is plagued with "high administrative overhead costs," shoddy repairs and dissatisfaction among those enrolled in the program. He said a state survey found nearly 20 percent of those enrolled in Shelter at Home had not returned to their homes even though the repairs were made.

Baton Rouge Man "Baked To Death In A FEMA Trailer," Caregiver Says, As Congress Probes Agency's Handling Of Mobile Units (Baton Rouge Advocate)

Baton Rouge (LA) Advocate, February 23, 2017

Congress has ordered a review of FEMA's manufactured housing unit program after a Baton Rouge man was found dead inside a unit with an allegedly faulty heating and air unit.

"He was baked to death in a FEMA trailer," said Cathy Landry, friend and caregiver to the blind, 84-year-old Everett Wilson.

On Thursday, Congressman Jason Chaffetz, R-Utah, ordered FEMA to turn over records relating to flood recovery. He cited numerous problems with FEMA's manufactured housing program: trailers that cost more than new houses, units languishing unused on a staging lot, and Wilson's death.

Landry found Wilson unresponsive in bed on Oct. 25 in his trailer at 4250 Blount Road, where he was living after his home off O'Neal Lane flooded. Landry said she called authorities five times over 25 days to fix the heating and air in his trailer, noting the heat got so bad the day he died that unlit candles inside had melted.

When they entered the home, authorities found the thermostat reporting the temperature at only 50 degrees Fahrenheit, even as the ambient temperature climbed into the triple digits. “Attempts to turn off the unit would not stop hot air from blowing out of the vents,” Chaffetz’s letter states.

Even after an hour and a half in a cooling unit at the morgue, Wilson’s body temperature registered at 110 degrees Fahrenheit, said parish coroner Dr. Beau Clark. Brain damage can begin once body temperatures reach around 107 to 109 degrees, he said.

Clark ruled the death accidental hyperthermia — overheating. The temperature inside the mobile home registered 124.4 degrees, and air coming out of vents measured as high as 137.9 degrees, the coroner said.

Wilson lost his sight about 17 years ago when a tumor damaged his optic nerve, Landry said. She noted that the blinds over one of his windows were askew when she found him; she believes Wilson tried to escape out the window before succumbing to the heat.

Clark noted that Wilson had some health issues related to his advanced age, but none are believed to have contributed to his death.

Landry said she met Wilson decades ago, and he had been friends with her father. Over the years, he became part of her family, since his relationships with his own family were strained.

She said he was a U.S. Air Force veteran who had worked on machinery and put a high value on education. When Landry’s daughter was in first grade, Wilson made her promise to get good grades. When she graduated high school near the top of her class years later, her “paw paw,” as she knew Wilson, bought her a car.

“I just want FEMA to stand up and admit they killed that sweet man,” Landry said.

Thursday, residents at Leo’s Park, the site on Blount where Wilson died, said they had moved into the park since the incident and did not know it occurred.

Wilson’s unit is still there, the locks and knobs taped shut. A sign on the door reads “Do not enter or move this unit without notifying FEMA security.”

Everett’s death has raised questions about the safety of all trailers. Local Republican Congressman Garret Graves said his office received a call from an anonymous tipster who said he was involved in manufactured housing deployment and alleged the agency destroyed 60 to 80 faulty units following Everett’s death. Graves said his office has yet to determine whether that’s true, but if it is “that would have been an extraordinary waste.”

In a prepared response, a FEMA spokesman wrote that they were notified of a death in a Louisiana manufactured housing unit in October but “have not identified any systemic issues within the manufactured housing units. Out of an abundance of caution, at that time, FEMA decided to replace the thermostats of the occupied MHUs manufactured before 2016 as a part of our regularly scheduled maintenance checks that occur about once a month.”

The agency did not respond specifically to Wilson’s death.

The circumstances leading to the overheating death demonstrate “a major screw-up,” Graves said. Moreover, a review of FEMA’s response to the August flood has found “so many flaws that really impeded the recovery” and “fleeced” taxpayers, he continued.

Congressional staff first visited Louisiana to inspect the FEMA response in August, after the flood. They followed up on Feb. 15 and 16 when they collected information that was included in the recent records request.

Wilson’s death is one of several concerns that’s prompted the House Committee on Oversight and Government Reform to demand FEMA officials turn their records over. Chaffetz, as chairman, has asked for documents listing deaths and injuries inside manufactured housing units, repair records and other data. He’s also requested analysis of the program compared to other temporary housing programs like Shelter at Home, plus costs and policies associated with that program. Graves said the committee will use documents provided by FEMA to look at ways disaster response can operate more smoothly.

Chaffetz raised concerns about the length of time it took to deliver mobile homes to flood survivors, specifically noting that three weeks after the disaster, just one person was living in a unit while others sat unused. The committee is also investigating the efficacy of the Shelter at Home program, which Graves said he loves — in theory.

It would be great to allow people to move back into partially restored homes rather than using manufactured housing units, the congressman said. However, Graves pointed to a story in The Advocate that demonstrated that many of the people who were offered the program did not feel the work was sufficient and chose not to move back home. If the program is to continue, it needs to become smarter and less wasteful, he said.

"We have additional questions about the implementation of the Shelter at Home program, including the efficiency of the program, both in its execution and high administrative overhead costs," Chaffetz's letter states. "Reports of shoddy repairs performed at costs beyond value are an indication of a serious problem."

FEMA Loses Dolly Battle; Disaster Aid Sparring Ends After Eight Years (Brownsville, TX, Herald)

By Gary Long

Brownsville (TX) Herald, February 23, 2017

U.S. District Court in Brownsville has ordered the Federal Emergency Management Agency to reconsider applications for disaster relief from thousands of Rio Grande Valley homeowners who were denied assistance based on a secret FEMA rule after Hurricane Dolly struck the Texas Gulf Coast in 2008.

Senior U.S. District Judge Hilda Tagle issued the court's final judgment after an eight-year battle with FEMA on behalf of the homeowners, who were represented by Texas Rio Grande Legal Aid.

The court ruled Feb. 16 that FEMA violated federal law by using a secret rule to deny home-repair assistance to 24,027 families after Dolly struck.

Under the court order, FEMA must reconsider — without using the secret rule — all Dolly disaster-assistance applications filed by the 26 plaintiffs named in the suit and by any of the 7,000 members of La Union del Pueblo Entero, a plaintiff in the suit.

Jerome Wesevich, general counsel for Texas Rural Legal Aid, said the case boiled down to FEMA sending in dozens of inspectors after the storm who were neither qualified nor trained to inspect homes.

FEMA then directed the inspectors not to record any damage as "disaster related" unless they concluded that Dolly's relationship to the observed damage was "significant, obvious and without question."

The court ruled that use of this "secret standard of proof" violates federal law. Wesevich said that within months after Dolly struck, FEMA spokesman Charles Powell told a reporter that Valley homeowners received less FEMA aid than other communities because some homes were built from second-hand materials, so some of the damage was caused by faulty construction instead of the storm.

"Mr. Powell essentially told Valley homeowners that their damage was their own fault, and FEMA won't help them just because they are poor," Wesevich said. "That's not only offensive. It's illegal."

Congress allowed each family harmed by Dolly up to $28,000 in total disaster relief services. Many of the affected families were inside their homes when the hurricane struck. Yet FEMA did not record the families' eyewitness accounts of what they saw.

"Instead, FEMA sent untrained inspectors to apply a secret standard to decide which damages were caused by Dolly," Wesevich said. "When FEMA refused to disclose how it made its decisions, plaintiffs sued so they could see FEMA's standards, and claimed that FEMA does not offer disaster assistance benefits equally to low income families."

Wesevich said the ruling is important for people in the Valley and across the nation.

"Presidents declare over 50 disasters every year, after which FEMA distributes billions of dollars in assistance. Right now, no one knows how FEMA decides who gets assistance. This ruling indicates that FEMA has to do a better job of explaining how it makes its decisions."

Wesevich said FEMA resisted the plaintiffs' demands "at every turn. … All we're talking about is a government program. All we were asking FEMA to do is when you make rules, you have to tell people what they are. That's not that hard."

Augustina Iglesias was one of the plaintiffs in the case and among those whose homes were most severely damaged.

"The court ruled in our favor, and, of course, we're happy about that," Iglesias said. "But it's been eight years since Dolly struck, and thousands of people in the Valley still haven't gotten any financial assistance from the federal government. Dolly tore apart our homes, and we've had to rebuild and repair as best we can on our own."

A single mother, Iglesias said she was inside her home with her five children when Dolly struck. They watched water rise several inches inside their home, and they heard the wind rip shingles and siding off the outside of the house. Because FEMA denied repair assistance, Iglesias had friends install a two-by-four in her living room as a makeshift joist to prevent her ceiling from caving in.

Any resident of Hidalgo, Cameron or Willacy County who applied to FEMA for Dolly assistance and did not receive all of the home repair aid they believe is due may call TRLA's Disaster Hotline at (866) 757-1570.

From: Welch, Randy
Sent: 23 Feb 2017 19:31:22 +0000
To: R8 All Hands
Cc: (b)(6)
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Feather, Glenda;(b)(6) @gmail.com';(b)(6) @gmail.com';Stephens, Holly;Castel, Joseph-
Richard;Bonza, Dale;Coley, Robert
Subject: FEMA Region VIII clips for Thursday, 2-23-17
Attachments: R8 Clips 02-23-17.docx

Region VIII Clips
Thursday, Feb 23, 2017

ANALYSIS

- *Colorado*: A lengthy letter to the editor argues against a new hydrology study in Estes Park… A business development group in Sterling says it has new SBA "grants" to help businesses affected by the 2013 floods. … Dry, warm weather has led to fire bans across the Denver metro area.
- *Montana*: No FEMA-related stories
- *North Dakota*: Two stories report on the mostly voluntary evacuation at the camp of protestors against an oil pipeline being built… AP reports on a meeting today with Senators Hoeven and Heitkamp at Drayton with various officials to discuss flood preparedness … A press releases announces a public meeting, also accessible via video and telephone, on emergency preparedness.
- *South Dakota*: The Pretty Flower Fire has been contained and evacuation orders lifted.
- *Utah*: Three stories report on the extensive flooding in Box Elder County, including a prediction by Lieutenant Governor Spencer Cox that the state would request federal help and that the damage there and in Cache County would meet "thresholds" for that help. (Box Elder County is north and west of Great Salt Lake; Cache County is east of there and of I-15, around Logan)…. Congressman Jason Chaffetz of Utah is demanding records from FEMA on the mobile housing units in Louisiana after an elderly man was found dead in an overheated unit there.

- *Wyoming*: The *Powell Tribune* reports on the flooding along the Big Horn and Greybull rivers… The USDA proposes a program to help identify areas that might be at risk from flooding… A Cheyenne task force to fight blight is considering a FEMA grant that provides money for remediation.
- *Other FEMA-related stories*: The *Washington Post* reports on a loss of forest canopy in the U.S., particularly in rural areas and in the West… An Arizona congressman writes in an opinion piece that climate change and aging infrastructure combine to cause increasing problems, including "climate refugees" within the U.S.

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No FEMA-related stories

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Two minors injured at DAPL protest after ordered evacuation (WDAZ TV)

North Dakota Arrests 10 as Pipeline Protest Camp Empties (NY Times)

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Utah National Guard deployed as 90% of Box Elder County communities affected by flooding (Fox 13)

'Difficult times:' National Guard, neighbors step in to help following Box Elder County flooding (Deseret News)

Utah congressman demands FEMA's Louisiana flood records, says man died in overheated trailer (Baton Rouge Advocate)

WYOMING:

Flooding in Big Horn County (Powell Tribune)

USDA proposes future flood relief program (Northern Wyoming Daily News)

"Fight The Blight" Task Force Considers Ways To Tackle Properties (Wyoming Tribune Eagle, Cheyenne)

FEMA-RELATED STORIES

You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

Americans Once Moved Away From Forests. Now Forests Are Moving Away From Americans. (Washington Post)

Climate Change Tied To Nation's Infrastructure Needs (The Hill)

STORIES

COLORADO:

Letter To Town Board And Citizens Of Estes Park Re: New Hydrology Study (Estes Park News)

- Feb 22, 2017

HISTORY:

In the 1970's when the federal government started getting increased demands for disaster relief it was decided that some sort of regulation was needed to try to prevent losses and that some sort of mandatory federal insurance was needed offset the losses. FEMA was formed.

Although FEMA provides recovery funds for all sorts of disasters flooding was the most common and the most predictable. It is the easiest to keep people away from (it's hard to tell people they can't build in "Tornado Alley" when you can't define it). It was decided that the reasonable level to regulate to would be the 100 year flood. That is the level of water that has a 1% chance of happening in any given year. It is only a statistical number. It could happen or be exceeded in any given year or several times in 100 years or not happen in 500 years. Laws and regulations and insurance rates were passed. Rules were established to determine what amount of water would be the statistical 100 year event on any given waterway using historic measured data or by estimating data by hydrologic studies. The rules state that where measured flow data exists for more than 10 years that it should be the basis. This makes sense since the result is a statistic and measured data is always more accurate than estimated data. We are fortunate in that the stream gage at the Visitor Center has a daily record for 69 years. Fall River has 29 years of intermittent records dating back to 1945.

Hydrology is the study of water runoff. Contrary to the opening statement of the new study, it is not a new science. It has been around for many decades and has been the basis for design for everything from street culverts to the world's largest dams with millions of lives at risk. Its fundamentals are universal. To say that the hydrology of the 1977 study or subsequent studies is no longer relevant is wrong. There is no evidence of them being in error or inadequate. There is another 40 years of records which further substantiates prior records. All of the previous studies and reports have led up to the most recent study and regulation which was approved by FEMA, the State of Colorado and the Town in March of 2013. This study does not differ significantly from anything done in prior 40 years. One has to ask how one event that statistically could happen in any given year could cause results that are multiples higher in the new study than anything before. The answer is that it shouldn't. What did happen is the State of Colorado got much criticism after the 2013 flood for not being better prepared or getting warnings out sooner. The result was to pass legislation providing grants for local governments to redo their regulations to provide "more protection" i. e. make larger regulated flood plains. This results in more insurance revenue for FEMA with reduced risk. It also makes properties that were not previously in a flood plain almost totally restricted, virtually prohibiting replacement and redevelopment and establishes mandatory insurance that costs thousands of dollars. The whole goal of a flood regulation is to get buildings out of the floodway. This will have a devastating effect on the westerly portion of the central business district and to the town economy. It also is a major injustice to those owners who have built or purchased improvements that at the time were legally outside the floodway. Now, because of a major change in interpretation, their property is reduced to a fraction of its value. Not only will these properties not be able to expand to compete, if they are damaged by any cause to 50% of their value they will not be

able to be replaced leaving ground that is virtually worthless. Beyond that they immediately will be hit with mandatory flood insurance that costs much more than normal hazard insurance and only covers floods (that in the expanded areas have only occurred once, in 2013, in recorded history). This added cost will have to be passed on with higher prices on goods sold leaving the whole area at a competitive disadvantage. I cannot imagine a merchant renewing a lease under these conditions.

THE NEW HYDROLOGY STUDY:

The proposed hydrology study when first submitted after extensive peer review by "esteemed" professionals had a 2013 flow in Fall River of 3800 cfs which was used in developing flow models and resulted in a 100 year flow of 3580 cfs. This was based on a single flow estimate using a new method called the "critical depth method" instead of the traditional "Manning's Equation" which is a more involved method. It was pointed out in a prior review that even when properly applied the "critical depth method" will always yield high results due to disregard for debris, sediment, turbulence and not having a level water surface. It may be faster and easier but it is not accurate. After it was shown to the consultants that 3800 cfs could not of occurred, they had the person who developed the "critical depth method" go back and check the Fall River Lane Bridge that did not over top. He then came up with the number of 2000 cfs which is the maximum that can be put through the bridge, filling it all the way to the bottom chord. This could not happen without creating a back water and did not happen as verified by eye witnesses. The request to adjust this number was denied and it is reflected in the final version of the study. Even this amount of correction brought the 100 year event down to 1860 cfs. Which is a reduction of almost ½ from what would have been adopted had the study not been objected to. This one correction over time amounts to millions of dollars that would have been lost by local citizens.

The Army Corps of Engineers has developed a computer program called HEC – SSP for calculating statistical flow quantity frequencies from stream data that is the required method to be used for flood studies. FEMA has published guidelines for how data is to be treated. Bulletin 17B specifically describes the method by which events that are so far different from the regular range of events are determined to be "outliers". These outliers are treated in a historical context rather than a systematic event. This has the effect of buffering and significantly lowers the 100 year event. The length of the historical context is dependent on how long a period has expired since a similar event. The longer the period the more the buffering. There is no doubt that the 2013 event on Fall River is an outlier as the calculation was preformed both by the consultant (Appendix B, p. 99/333) and by Van Horn Engineering in its review (Appendix H, p. 266/333). In its response to the VHE review (p. 266/333) the consultant refuses to consider 2013 a historic event even though it is an outlier

stating there is no prior historic evidence (p. 266/333). This is categorically untrue as the flow of Fall River is included with the Big Thompson and Black Canyon at the Visitor Center gauge which has 69 years of record and is a short distance downstream. The combined flow of all three has never approached the Fall River outlier providing historic proof positive. The instructions specifically say for the preparer to investigate all available history and adjacent data. Modern occupation and written accounts date back to the 1870's and no similar event has ever been recorded nor is there any physical evidence which would still be evident had it occurred. If the 100 year event were correctly calculated (VHE review p. 263 – 271/333) it would come much closer to previously approved studies.

CONCLUSIONS:

The effects of adopting the study as presented are uncalculatable. By increasing the 100 year event by multiples many properties that have not been in the flood plain since its inception 40 years ago will now be severely restricted and heavily taxed by flood insurance. The values of these properties will be a fraction of what they are now. This represents a taking for a public purpose without compensation (like condemning land for a road) and the Town needs to be very careful and sure before they take such an action. It is hard to imagine a very high confidence level in a study which has already been shown to have very large errors in its estimates. In most instances of the government changing regulations there is a provision of "grandfathering" those people who legally relied on previous rules. This is not the case here and the total loss will be borne by the impacted individuals who have to depend on their elected officials to protect their interests.

There are two things the Town Board can do. One is to send the study back to the consultants and tell them to not to use impossible estimates for Fall River and to follow the rules and treat the 2013 flood as the historic event that it was. The other is to not adopt the study at all and use the perfectly valid and approved 2013 study which is the legal regulation now. The flood maps are going to have to be redrawn no matter which hydrology is used because of channel changes. This will establish the new flood regulation.

Bill Van Horn, PE 9485

New Small Business Administration grants offered to help businesses impacted by flood (Sterling Journal Advocate)

Jones gives yearly report on Small Business Development Center activities

By Callie Jones

Journal-Advocate news editor

POSTED: 02/23/2017 07:02:21 AM MST

Eastern Colorado Small Business Development Center is again seeking to help businesses impacted by the 2013 South Platte River flood. Laurie Jones, SBDC's Logan County business consultant, spoke to the commissioners Tuesday about the second round of a flood/disaster recovery grant program.

After the flood first hit, Jones had over 100 businesses contact her and at that time the Small Business Administration (SBA) came to Sterling and established an office with FEMA (Federal Emergency Management Agency), to help business owners and residents impacted by the flood apply for an SBA loan. Eligible applicants could get up to $50,000.

"The challenge we had is the requirement is they had to go through the SBA loan process in order to qualify. That was a very lengthy and it was a very frustrating process, and it was a direct to the SBA, as opposed to going through a bank," Jones said.

Because of that, in Logan and many other counties, there weren't many people that received funds. Though Jones did say she had some clients get a $50,000 grant and more often they received $5,000-$10,000 grants.

The state has now changed the program and Jones is able to go back and reach out to those 100 clients, "and of those I think I've got a pretty good shot, if they're willing to go through the process, of getting them some grant funding," she said.

She noted this time the application is much simpler, but applicants must prove that due to the flood they lost at least $5,000 in revenues and it can't just be during the days the city was shut down during the flood. They have to show financially that into 2014 they had less revenue than, say, in 2013, 2012, etc.

"So, we have a process, it's much more streamlined and I believe based on the people I've already met with I can get a lot of money out into the hands of them," Jones said.

She pointed out that child care providers were a real challenge in the first round of grants and she's still not sure they'll be able to meet that $5,000 loss, "but I'm going to go back out and try to reach through that group again," Jones said.

There is an emphasis to try to get this outreach done over the next couple months, because as things change there is no guarantee SBA will continue to have that grant funding available.

Jones noted the new program also includes fires, so she is trained in if there is any kind of major disaster here, "we now have a process that we can step into to help our business community with some funds," she said.

Additionally, Jones gave a yearly report on SBDC. Over the last five years, she's met with about 210 business owners in Logan County and there are around 600 to 650 businesses total....

Callie Jones: 970-526-9286, cjones@journal-advocate.com

More Communities Put Fire Bans in Place on Colorado's Front Range (CBS Ch. 4, Denver)

February 22, 2017 12:03 PM

Filed Under: Fire Bans, Wildfires

DENVER (CBS4) – For a stretch of 37 days there has been no measurable precipitation across the Denver metro area.

With that dry weather and persistent unseasonably warm weather fire danger has shot up, and several county and city managers have enacted fire restrictions in the past few days.

The following is a list of all the areas with fire restrictions:

– Jefferson County (unincorporated areas), plus Lakewood and Golden – Stage 1 fire restrictions (see below)

– Arapahoe County – ban on all open fires and open burning

– Adams County (unincorporated areas) – Level 2 Burn Restriction

– Douglas County, plus Castle Rock

– Boulder County, plus Lafayette

– Teller County

– Elbert County

– Lincoln County

– Las Animas County

Check the website coemergency.com for the latest updates on fire bans in Colorado.

Officials in Golden described the Stage 1 restrictions as follows:

All open burning, including bonfires; open flame torches and welding in wildfire risk areas and model rockets are prohibited. Also banned is the use of recreational fires within 30 feet of undeveloped areas including green belts and open space lands. Smoking within six feet of any outdoor area not cleared of combustible vegetation is also prohibited.

Exceptions to these temporary restrictions include: supervised public fireworks displays by a state licensed operator (subject to specific GFD operational permit requirements); outdoor cooking fires contained within commercial gas fueled grills, enclosed wood or wood pellet grills or smokers; enclosed

outdoor fireplaces or chimineas; powered yard equipment for landscape purposes; any federal, state or local law enforcement officer or member of an organized rescue or firefighting force in the performance of an official duty.

Wildfire Resources

– Visit CBSDenver.com's Living With Wildfire section.

MONTANA:

No FEMA-related stories

NORTH DAKOTA:

Two minors injured at DAPL protest after ordered evacuation (WDAZ8)

CANNON BALL, N.D. — A few dozen protesters remain camped out Wednesday night, despite the day's 2 p.m. evacuation deadline.

After taking a break Wednesday, come 9 a.m. Thursday, crews are moving in, saying the region is on the brink of an environmental disaster.

The 2 p.m. deadline has passed and up to 50 protesters remain. The state is giving them until 9 a.m. Thursday to get out.

"They will have every opportunity to leave the camp tomorrow without arrest," Gov. Doug Burgum said at a press conference Wednesday evening at the Morton County Courthouse..

Ten protesters did turn themselves in Wednesday outside the camp.

"You had to try and be arrested today," said Burgum.

For the most part, the arrests took place without incident.

"We are following up on a hip injury involving someone who was arrested," said Morton County Sheriff Kyle Kirchmeier.

Prior to the evacuation, there was one last march against the Dakota Access Pipeline.

More than a hundred protesters left Cannon Ball to avoid arrest.

The governor says about 70 people have taken advantage of a state-funded program supplying them with hotel rooms and bus tickets.

While Burgum could not provide a cost to taxpayers at this time, he calls the program his decision.

"We are saving taxpayer dollars anytime we can buy a bus ticket and hotel room versus trying to put them through the legal system," Burgum said.

There was a near tragedy Wednesday as protesters intentionally set nearly two dozen buildings inside the camp on fire.

In one of the blazes, a 7-year-old boy was hurt along with a 17-year-old girl following either an explosion or flames that got out of control.

'There was a 17-year-old woman who was severely burned and she's been airlifted to Minneapolis," Burgum said.

After not being allowed in the camp Wednesday, contractors hired by the Army Corps of Engineers plan to return first thing in the morning.

It's a race against time and the cleanup could take more than three weeks due to the amount of debris left behind, the cost to taxpayers, likely over $1 million.

"To ensure none of this garbage, none of this waste, debris and structures and vehicles end up in the reservoir. That would be an environmental catastrophe," said Col. John Henderson of the Army Corps of Engineers.
Due to the amount of junk still left behind and not knowing what is buried beneath feet of mud, the contractors actually underwent hazmat training for their safety.
The company building the pipeline says they could have oil flowing as soon as March 6.

North Dakota Arrest 10 as Pipeline Protest Camp Empties (NY Times)

CANNON BALL, N.D. — The fires burned for hours on the flat, muddy landscape, their thick smoke rising through snowflakes that tumbled to the ground. Someone rode a snowmobile across the dirt, and others moved their belongings to the side of a rural highway. The police gathered, prepared to follow the governor's order to clear people from this rural part of the state.
But the Wednesday afternoon deadline for protesters of the Dakota Access oil pipeline to empty their largest encampment passed with far more uncertainty than unrest. In the hours after the deadline, the authorities made 10 arrests but said they would not fully empty the camp on Wednesday night.
Roughly 25 to 50 demonstrators were believed to remain in the mandatory evacuation zone, said Gov. Doug Burgum, who said cleaning crews planned to enter the camp Thursday morning.
"Anyone who obstructs our ability to do cleanup will be subject to arrest," Mr. Burgum said.
The scene here, about an hour's drive south of Bismarck, the state capital, seemed to represent a muffled end to a specific and passionate protest that drew thousands of demonstrators and became central to the national debate about energy, the environment and the rights of Native Americans. Protesters argued that the nearly completed pipeline, now moving ahead with the support of President Trump's administration, could imperil the drinking water supply on the Standing Rock Sioux Reservation.
"We won," said Vanessa Red Bull, 54, who has spent months here. "We slowed that pipeline down months and months and months. We cost them who knows how much money. And we slowed them down."
She added, "This has been a multilayered event that has brought attention to glaring issues."
Ms. Red Bull and her allies won a brief victory last year, when the Army Corps of Engineers said in the waning days of the Obama administration that it would conduct an environmental impact study before allowing the 1,172-mile pipeline to cross Lake Oahe, the Missouri River reservoir near the encampment. But the beginning of the Trump administration brought a swift and substantial defeat: an instruction that the Army abort its study, a decision that allowed construction to resume.
Barring court intervention, oil from the Bakken fields in western North Dakota could flow through the pipeline this spring. But on Wednesday, the matter at hand was what to do with the encampment, which had become an abiding and, for some, spiritual symbol of activism. State officials cited fears of flooding for the governor's decision last week to order a mandatory evacuation of the site.
"It's time for protesters to either go home, or move to a legal site where they can peaceably continue their activities without risk of further harm to the environment," the North Dakota attorney general, Wayne Stenehjem, said in a statement. Officials said that trash at the protest camps would pose an ecological risk if it were washed downstream by flooding, and that urgent cleanup was necessary.

Both sides have accused the other of escalating tension and engaging in violence since the protest started last year as a decidedly local affair. The camps ultimately swelled to thousands in the summer and fall, with Native Americans and supporters from across the country gathering in spirited opposition and setting up a makeshift society in the camps, complete with cooking tents and supply areas.

But on Wednesday, months of tension mostly gave way to a somber calm as demonstrators left and a cold rain turned to snow. Some protesters set fire to semipermanent structures before the 2 p.m. deadline.

“It’s an act of defiance,” Nick Cowan, 25, said as he watched a fire burn on Wednesday after living here for more than two months. “It’s saying: ‘If you are going to make us leave our home, you cannot take our space. We’ll burn it to the ground and let the earth take it back before you take it from us.’”

Two youths were injured at the camp Wednesday, apparently from the fires, officials said, including a teenage girl who was hospitalized with severe burns.

North Dakota officials offered meals, lodging, a medical exam and a bus ticket to anywhere in the 48 contiguous states for protesters who left by Wednesday afternoon but needed help getting home.

That approach was at odds with events of recent months, when the demonstrators sporadically clashed with the police, leading to the activation of the North Dakota National Guard and hundreds of arrests. The police sometimes used tear gas and rubber bullets. The North Dakota Guard said on Wednesday that it had spent more than $8 million responding to the protest since August.

Despite the lingering frustrations, tensions seemed to have eased in recent weeks as the ranks of demonstrators declined during the harsh winter. Dave Archambault II, the chairman of the Standing Rock Sioux Tribe, which has sued seeking to block the pipeline construction, urged protesters to go home.

On Wednesday, many of them did.

“I think people are saying goodbye,” said Ms. Red Bull, who spent about six months here. “I think that’s why people are setting things on fire: as a way of a last homage to what had become many people’s homes. A community was here.”"

Hoeven, Heitkamp to discuss flood prep in NE North Dakota (Associated Press)

DRAYTON, N.D.

North Dakota's two U.S. senators will be in Drayton on Thursday to discuss flood preparation in northeastern North Dakota this spring.

Sens. John Hoeven and Heidi Heitkamp will meet with federal, state and local officials in the afternoon. The meeting is aimed at making sure communities are prepared for possible flooding.

After the flood outlook meeting, Hoeven and Heitkamp will tour Drayton's earthen levee.

The recent flood outlook from the National Weather Service shows an increased risk for moderate to major flooding in the northern Red River Valley. The outlook also projects near-record runoff for the Devils Lake Basin.

Public Hearing on Emergency Preparedness Activities (ND Ag Connection web site)

The North Dakota Department of Health has scheduled a public meeting designed to educate the general public about emergency preparedness activities and provide an opportunity for public comment. The meeting will be held March 2 at 1 p.m. CST at 1720 Burlington Drive in Bismarck. Participants may also join via teleconference by dialing 1-855-361-4591. In addition, the public also can participate through video conference at participating local public health units throughout the state where video conference is available, or the meeting can be accessed online via live webcast.

"Extensive use of the public health and medical response systems have been successfully implemented in the last several years in response to civil disturbances, equipment malfunctions at medical facilities, medical facilities evacuations, fires, flooding, tornadoes and other weather emergencies," said Tim Wiedrich, section chief of the Emergency Preparedness and Response Section of the North Dakota Department of Health. "This meeting will give people a chance to learn about the work that has been done and give us feedback."

The meeting will start with a presentation highlighting the planning that has been done and will conclude with time for comments. To participate, contact your local public health unit or call the toll-free phone number. To access the webcast online, follow these instructions:

Step 1. Before the webcast, please check that your computer can play Windows Media streams. Mac users may download Windows MediaComponents for Quicktime from www.microsoft.com.

Step 2. Type the following link into your browser: http://www.ndhealth.gov/WebcastHigh.asx.

The feed typically starts within 15 minutes before the scheduled time. The webcast is for viewing only. If you wish to ask a question, please call the teleconference line.

Please note that there is a delay between the webcast and teleconference feeds by several seconds. If you are watching the webcast and would like to call in with a question, please use your phone's audio instead of the computer to avoid confusion due to the sound delay.

SOUTH DAKOTA:

Wildfire Contained, Evacuation Orders Lifted In Western SD (AP)

Associated Press, February 22, 2017

HAYWARD, S.D. (AP) — A wildfire that threatened up to 30 homes in western South Dakota has been contained and evacuation orders have been lifted.

Incident Commander Ray Bubb declared the fire 100 percent contained Wednesday morning. Two engines and two crews were left in the area to finish mopping up the fire that started Tuesday and had spread to over 33 acres of mostly private land near Hayward.

Investigators say the fire, dubbed the Pretty Flower Fire, sparked from a burning slash pile and spread because of dry, warm and windy conditions Tuesday morning. By late Tuesday afternoon the fire crews had begun to leave the fire as it was 75 percent contained.

Officials say all remaining work on the fire has been handed over to the South Dakota Wildland Fire Suppression team.

UTAH:

Utah to ask for help from feds over northern Utah flooding (2 KUTV)

BOTHWELL, THATCHER, ELWOOD and NORTH GARLAND: the Box Elder County Emergency manager said those are among the areas with the most dramatic flooding -- which has now stretched for days.
The county reported Wednesday 30,000 bags have been filled with roughly 700 tons of sand for the most immediate response; and a dozen members of the Utah National Guard arrived in Tremonton, Utah, with a machine to automatically fill the bags at the Box Elder County Fairgrounds.
Lt. Governor Spencer Cox choppered above the flooding on Wednesday, said he was surprised by the amount of standing water on property north of Ogden, and said the state will make a plea to help from the federal government.
Cox thought damage "thresholds" have been met to trigger federal aid. What is unclear is whether that money, if approved, would go solely to cover repairs to public infrastructure, or whether private property owners could get some assistance.
Cox said he is most concerned with the high water now, precipitation which is coming, and property damage.
Box Elder County said it has 13 pumps operating now to divert floodwaters, with six more on the way. The county is also "monitoring three landslide locations."
It is also "dealing with floods in western Box Elder County due a Nevada dam break."
Wednesday night, the Red Cross was scheduled to hold an open house at the Aldersgate United Methodist Church in Brigham City for those affected by the flooding.

Utah National Guard deployed as 90% of Box Elder County communities affected by flooding (Fox 13)

BOX ELDER COUNTY, Utah - Dozens of community volunteers worked for hours Wednesday evening to fill hundreds of sandbags at the Box Elder County Fairgrounds.
They took over after the Utah National Guard spent all day filling bags in an effort to relieve massive flooding in the area.
"Twelve personnel right now, so it's a smaller contingent, but we do have a sand-bagging machine," explained Capt. Lance Curzon during a press conference Wednesday afternoon.
Box Elder County Commission Chair Stan Summers said they've gone through 30,000 sandbags and 700 tons of sand, all to combat the catastrophic flood.
"One of the worst floods that I've seen in my lifetime," he said.
He estimated 90 percent of the communities in the county have been affected. The flood filled basements with water, shut down businesses and closed waterlogged roads, he explained.
"Nowhere to go, all the ditches are full, all the canals are full," Summers said.
Lieutenant Governor Spencer Cox saw it for himself Wednesday afternoon, during a tour in a helicopter and on the ground. While the damage was apparent in a video he filmed from the sky, he reported good news.
"The water has receded significantly, and that has to do with the temperature more than anything," Cox said.
Summers also explained they put out more than a dozen pumps to reroute water, and a half dozen more are on the way.
Many roads reopened, with only a couple still not passable.
But Lt. Gov. Cox expressed that what he witnessed also worried him.
"Problem now is has moved north," he said, of the flooding. "We saw that from the air a little bit earlier. It's significant, impacting a lot of houses."

He said they are assessing Box Elder and Cache Counties for flood damage, and initial estimates place it at more than $4 million.
That would be enough to call for federal emergency assistance, he said.
While the Utah National Guard is helping for now, they're also urging the community to continue step in.
"If you are okay, then go help your neighbors," Summers said, stopping to hold back tears.
He said he's seen so much of that already, and Lt. Gov. Cox agreed, saying it's been inspiring for him to see the outreach in this time of crisis.

'Difficult times:' National Guard, neighbors step in to help following Box Elder County flooding (Deseret News)

ELWOOD, Box Elder County — Following four days of extensive flooding in Box Elder County, Stan Summers couldn't hold back his emotions while describing the plight of one particular resident.
"There was an older gentleman that (approached us) and said, 'I don't have any money, can I get some sandbags?'" Summers, a Box Elder County commissioner, told reporters in Elwood through tears. "I don't know what you tell them besides, 'just get in here, load your sandbags up, where do you need them?'"
Warm weather, rainfall and massive snowmelt have resulted in flooding affecting up to 90 percent of communities in Box Elder County, officials estimate. The Utah National Guard was called to assist large-scale sand-bagging efforts Wednesday.
About 12 soldiers from Camp Williams responded to the Box Elder County Fairgrounds with an automatic sand-bagger, according to the National Guard.
"When it's operating at its peak efficiency, it's very helpful," National Guard Capt. Lance Curzon said. "We're able to fill up sandbags and put them on those pallets very quickly."
The response hasn't gone unnoticed by local officials.
"We appreciate everybody coming and doing these things for us," Summers said. "It's a little overwhelming to say the least in the last four days to watch everybody come together."
The widespread flooding of roads and homes means that opportunities for reaching out are plentiful, Summers said.
"I'd just say, if you're OK, you don't have to look very far to go help your neighbor," he said.
About 30,000 sandbags have been filled with 700 tons of sand and distributed to 25 locations throughout the county, Summers said. Thirteen heavy-duty pumps are in place to protect homes, businesses, fields and roadways, with six more on the way.
Salt Lake County also pitched in after an official made a call to the county mayor.
"They don't have time to go out and fill (sandbags) because they're out on the streets really protecting their community," Salt Lake County Mayor Ben McAdams said. "So I said, 'let me see what I can do we'll get some people together and get some sandbags up to you ASAP.'"
Volunteers filled between 3,000 to 4,000 sandbags Wednesday morning in Midvale; they were shipped to Tremonton in five large trucks early Wednesday evening.
"I know they'd do the same for us if we were in crisis. They'd help out," McAdams said.
The American Red Cross teamed up with state and local agencies at the Aldersgate United Methodist Church, 850 S. 200 East in Brigham City, to create a one-stop help center for flood victims.
For people like Corinne resident Rick Miller, whose family has a flooded basement and a ruined furnace, finding that help Wednesday was essential. He visited the church in hopes of finding help keeping his home warm.

"We've been living off of our wood-burning stove. ... I don't know if there's a way they can help us with our furnace — if there there's a way they can (help us find) fire wood that's dry," he said.
Summers said Box Elder County residents were mindful of the help coming in from throughout the state.
"We know that we have friends on every side," he said. "It's funny how events like this kind of erase borders between counties and states."
Curzon said he was grateful the National Guard got the call to assist.
"For us -- we have to see people in these difficult times, so we're more than happy to be up here and do everything we can. ... This is why we do it," Curzon said. "This is why all of us volunteered to serve in the military. You know, sometimes we've been called to go overseas, but it's nice to be here in the same communities that we live in."
Lt. Gov. Spencer Cox, who flew to Box Elder County to survey the damage Wednesday, praised those who had devoted "tens of thousands of man-hours" to protect homes and businesses.
"I (knew I was) going to see some terrible things and talk to some people who are having a really, really bad day," Cox said. "But I (knew I would) leave inspired because (of) ... stories about communities coming together, neighbors coming together, people coming together, churches coming together and helping each other out."
Brigham City resident Kerri Petersen drove to Tremonton with her sons to assist flood victims, most of whom she didn't know.
"(It) feels good," Peterson said. "Glad to get my boys helping, too."
Petersen can empathize with the stress of having her home threatened. The crawlspace of her own home flooded last week, she said.
Summers said there has been intermittent flooding in Box Elder County since January, mostly in its western portion.
"It really became a problem when the snowpack started to melt," he said.
Some roadways and canals have been breached in recent days, Summers said, making the situation all the more dire.
Mark Millett, emergency manager for Box Elder County, said the large snowpack, combined with warm, wet storms, is responsible for the flooding.
"As it's melted, the snow has just continued to concentrate the moisture (in place) and in many cases, not really run off too much," he said.
Most Box Elder County and other northern Utah residents can expect falling temperatures and snowfall for a large portion of Thursday, according to a forecast from KSL-TV meteorologist Kevin Eubank.
Temperatures are expected to cool significantly, dropping into the high 20s or low 30s through Saturday.
That forecast is good news to Box Elder officials.
"If we can move into just kind of a cooler warming period to allow us to come off in that more incremental measure, we're fine," Millett said.

Utah congressman demands FEMA's Louisiana flood records, says man died in overheated trailer (The Advocate)

BATON ROUGE – A Utah congressman is demanding the Federal Emergency Management Agency turn over documents on mobile housing units related to the August flood after an elderly man was found dead in an overheated trailer.
"When local authorities inspected the MHU, they discovered temperatures over 137.0 degrees Fahrenheit with the air conditioning and heating control unit reading 50 degrees Fahrenheit,"

states the letter by Jason Chaffetz (R-Utah), chairman of the House Committee on Oversight and Government Reform.
The letter does not provide specific identifying information on the deceased man or where he was found. FEMA has told committee members that there have been no deaths due to faulty MHUs, Chaffetz's office wrote.
The congressman also raised concerns about the length of time it took to deliver mobile homes to flood survivors and the efficacy of the Shelter at Home program.

WYOMING:

Flooding in Big Horn County (Powell Tribune)

Fifteen minutes. That's all the time Ernie and Teresa Marsh had Tuesday to get themselves and their vehicles out of the path of a flood that no one expected to ever happen near their Big Horn County home.
"It might be one of those 100-year deals," Ernie Marsh said Wednesday. "No one remembers a flood like this right here," off Spence Oil Road between Greybull and Lovell. "Even the county sheriff doesn't remember (a flood) here."
Ice jams in the Big Horn River have caused repeated flooding before in other areas — Worland, Manderson and Greybull, for example. But the Marshes' property sits near a straight section of the river.
"It's kind of odd that (ice) would pile up here," Marsh said.
But pile up it did, and once that happened, the Marshes went into action to get into their vehicles and move them to higher ground, out of the way of the fast-approaching floodwater.
Unfortunately, there wasn't time to salvage much from their mobile home or from the shop where Ernie Marsh does silversmithing.
Later, they moved their horses to higher ground.
"The horses weren't wanting to leave on their own yesterday, so we had to wade out there to move them," Marsh said.
Larry and Dianne Ostermiller of Powell own a cabin on neighboring property.
Larry Ostermiller got a call from the local rural electric association Tuesday telling him that workers were going to shut off power to the cabin, because it had flooded.
"We were just flabbergasted," Dianne Ostermiller said. "We felt like there was no danger."
A 4-foot dike ran around their property, and the Federal Emergency Management Agency didn't have the property listed on a flood plain, Larry Ostermiller said.
When the ice jammed, "the dike held everything out except for in one spot, where a bunch of mice had holes burrowed in the dike," he said. "Cats were digging them out over time, and the water found a weak spot and washed it right out."
Larry Ostermiller got a call Tuesday evening from Marsh, who asked if he knew anyone who had a boat he could use to get things out of his mobile home, as he wasn't sure it would still be standing Wednesday morning.
Ostermiller borrowed a flat-bottomed rowboat from a friend and drove it down to the Marshes' property. They used the boat to make several trips, shuttling valuables and irreplaceable family belongings from the home — family photos, marriage certificates, etc. — to higher ground.
Marsh resumed those efforts the next morning, when he saw the mobile home was still standing.
"The house is still there, and my shop building where I work on stuff," he said.

The rowboat came in “real handy,” Marsh said, adding with some astonishment, “I’m not often wading in a rowboat in the middle of a desert.”
He said the floodwater contains a lot of unidentifiable debris of different colors, probably from previous flooding upriver.
“There’s a lot of people in Worland that had this happen earlier,” he said.
Another neighbor couple is spending the winter in Arizona, so Marsh said he checked out their property and gave them a report. That house stands a little higher, so it’s barely out of the water, but other buildings on the property were flooded. Ostermiller said the couple had a brand new Jeep Cherokee parked in one of their shops.
Now, it’s pretty much a waiting game.
“We’re not sure if this is going to go up or down,” Marsh said early Wednesday afternoon. “It seems like it’s fluctuated a little bit; the water was down about 6 inches, but now it looks like it’s kind of on the rise again.”
“All I can do is just wait and see what happens and clean up the mess later,” he said. “This is my first flood, so I’m kind of a newbie.”
Neither the Ostermillers nor the Marshes had flood insurance. Until Tuesday, it didn’t seem necessary.
“Ours is not a great situation,” Dianne Ostermiller said. “We’re going to lose a lot financially.”
The Marshes, meanwhile, have lost their home and their business.
Still, Marsh said it could have been much worse.
“We’ve got all our horses, our family’s good, the dogs and cats are OK, so we’re feeling pretty blessed about that,” he said.
Marsh said he and his wife are staying with their son in Byron.
“We’re feeling pretty lucky,” he said. “It happened in the daylight when we could see it coming and we were able to get out of the way.”

Authorities watch river

Four different ice jams caused trouble along the Big Horn River on Tuesday, with reports of some properties flooding in Manderson, Basin and the rural areas between Greybull and Lovell.
“The ice jams are moving along the river in Big Horn County, causing old ice jams to break and move and forming new ice jams as it goes,” Big Horn County Emergency Management Coordinator LaRae Dobbs said in a Tuesday Facebook post.
Dobbs said the ice jam between Greybull and Lovell was particularly large.
“Our pre-flood efforts are in place, and the river is being monitored on a continuum. This is the hard part, where we watch and wait,” she wrote, adding, “If you live along the Big Horn/Greybull river, please take precautions. Move your animals away from the river, and make preparations for your family to evacuate if you are flooded.”
Runoff water reached high levels over the weekend in Manderson at the confluence of the Nowood and Big Horn rivers. Ice from the Nowood River jammed just above Manderson, before it flows into the Big Horn.
“The jam pushed out Monday, and water levels are dropping,” Pete Hallsten, district engineer for the Wyoming Department of Transportation, said Wednesday. “The town never got wet, but the water came up into the U.S. 16/20 highway right-of-way. The water was still 2 to 3 feet below the roadway.”
The ice jam, which flooded parts of the Worland area last week, remained a couple miles above Manderson on Tuesday.

WYDOT said its maintenance crews continue to provide support in flood mitigation efforts near Worland, Manderson and Greybull.
Those efforts include transporting and placing concrete barriers, providing sand for sandbagging operations, transporting and placing filled sandbags, closing roads when necessary for safety, inspecting bridges and advising officials on flood control efforts.
If the jam hadn't reached Manderson Wednesday or Thursday, "it may be a while, as the weather is forecast to cool down through the rest of the week," Hallsten said. "A good snowstorm is being forecast, with dropping temperatures."
Big Horn River flows through Worland, Manderson and Greybull were high but within the river channel Wednesday.
"Frost is leaving the ground, so runoff water is being absorbed into the ground," Hallsten said. "So even as the melting picks up, the runoff is subsiding. Most of the low-lying snow is melted throughout the Big Horn Basin."
He said WYDOT's main concern remains how the ice might impact area towns and river crossings associated with bridges.
"From what it currently looks like, we are in a waiting game to see what happens," said WYDOT District Maintenance Engineer Lyle Lamb of Basin. "We will continue to support communities along the Big Horn River."
Wyoming National Guard troops were demobilized from the area on Saturday.

USDA proposes future flood relief program (Northern Wyoming Daily News)
WORLAND – The Washakie County Commission heard from a representative from the United States Department of Agriculture on Tuesday, introducing the opportunity to sponsor a flood relief program that could benefit county projects in the future.
Introduced by county Emergency Watershed Manager Laura Galloway of Ten Sleep, primary soil scientist James Bauchert with the USDA explained to commissioners the parameters of the Emergency Watershed Flood Funding program, and the role it could have in the local area.
While the program would not benefit the most recent flooding in Worland, it could help identify potential risk to wildlife and physical structures including private property and bridges.
While the USDA program would work mainly with primary sponsor, the Washakie County Conservation District, the agency would need the commission to co-sponsor, to fulfill a requirement demanding that at least one sponsor have authority of eminent domain and taxation.
"Anytime the phrase 'eminent domain' is used, I get a bit nervous," noted Commissioner Fred Frandson. "I don't like those two words."
Bauchert assured the commission that all authority to invoke eminent domain in the case of an emergency situation remained the power of the commission, and that the USDA had no jurisdiction other than requiring a sponsoring body have the authority.
The commission agreed to review the program with the county attorney, and come to a resolution before the next commission meeting in March.
In other business, Public Health Nursing Manager Amanda Heinemeyer requested a budget hearing, to attain an additional $10,000 for the county vaccination program. The council agreed to review the matter and schedule it for the next regular meeting in March.

"Fight The Blight" Task Force Considers Ways To Tackle Properties (Wyoming Tribune Eagle, Cheyenne)

By James Chilton

Wyoming Tribune Eagle, February 22, 2017

CHEYENNE – Mayor Marian Orr's all-volunteer "Fight the Blight" advisory task force began to discuss the work ahead of it Tuesday, including working out a definition of the blight it's aiming to eliminate.

Task force members discussed the need to properly define the concept of blight to understand what sorts of ordinances it may ultimately recommend to the City Council down the road. To begin, Orr shared her own ideas for what she'd like to see the task force combat.

"My vision is to look more at things that are dangerous. If someone decides to decorate their house with yard gnomes, that's up to them," Orr said. "I think it's attractive nuisances – buildings and properties left vacant ... walking the dog in my neighborhood this weekend, there are abandoned homes being broken into, and it's problematic."

As an example, Orr pointed to a house on Bent Avenue that was only recently declared to be unfit for human habitation by the city's building safety department. Such properties, she said, if left unsecured, could attract both children unaware of the danger and vagrants or criminals.

"That homeowner has 30 days to respond (to the building department's concerns), but where do we go from there?" Orr asked. "It's an out-of-town owner."

Task force chairwoman Julie Gliem tasked member and local attorney Larry Wolfe with researching other municipalities' definitions of residential and commercial blight, with the aim of returning to the task force's March 7 meeting with some workable language members might adopt going forward.

Fellow task force members Dominic Valdez and Steve Borin noted they'd already done some looking into the definitions of blight and found they vary widely depending on the community. Valdez said about the only common theme he saw was that urban blight often went hand in hand with the term "nuisance," though Orr noted even that term can be subject to different interpretations.

"There are at least two different levels (of nuisances), if not three: you have tall weeds and an elderly person who just can't keep up with the yard, or an empty house with an out-of-town owner where the weeds are tall," Orr said. "But there are also homes that have been uninhabited for years that are literally rotting away, and people know the place is not inhabited."

City code enforcement officer Emmett Lusher said the city already has all the legal tools needed to address the first kind of nuisance; it's the latter he said the task force would need to work on. As he explained, he handed out photos, including one of a house on Gopp Court in south Cheyenne where the roof has caved in.

"Is this inhabited?" Valdez asked.

"Not officially, but according to the neighbors, there are people there coming and going," Lusher replied. "There may be some mechanism where, once we have a way to deal with that situation, there may be a way to pay for it or take possession at some point in the process. Then we'd be able to raze it, or in some cases restore the property."

Orr noted that the city is currently working on resuming a program that would tap into a $1 million Federal Emergency Management Agency grant that would provide low-interest loans to some city residents to help remediate their property. She said such a tool may be one way to help encourage owners of distressed properties to clean them up.

Task force members also discussed reviving a program to provide roll-off dumpsters to some neighborhoods that may provide further incentive to clean up messy yards.

Attention then turned to some specific residential and commercial properties task force members want to see addressed, and what sorts of hurdles currently stand in the city's way. Task force member Corey Loghry produced a two-page list of properties in town that, according to the

Board of Public Utilities, had their water and sanitation shut off some time ago – in one case, a house last had water service in 2005.

Gliem suggested Lusher could learn more about whether those properties are occupied, while the task force concentrates on what condition they're in and how they might best be addressed.

"Is it a property that simply has tall grass and needs to be cleaned up, or is this a property where we're looking at total demolition? Can we rehab it? Are the foundation and roof still good?" Gliem said. "We need to classify properties based on that criteria. If we have a lot of cleanup properties, that might be something we can do quickly and easily."

As far as drafting ordinances to give the city more leeway to address blighted properties on its own, Orr suggested the task force consider the worst properties first.

"I think we need to start with those properties that are absolutely abandoned, with the second priority being renter-occupied properties where we have landlords that have created really poor living conditions and are taking advantage of their renters," Orr said. "We need to prioritize and knock off some wins as far as taking care of the abandoned structures we know exist within our community."

Wolfe and Borin both suggested the need for the task force to correspond with the city's chief building official and the city attorney once an acceptable blight definition is in place. As they begin to apply that definition to individual properties, those city staffers can begin to assist with crafting specific city ordinances to address ongoing problems.

FEMA-RELATED STORIES:

Americans Once Moved Away From Forests. Now Forests Are Moving Away From Americans. (Washington Post)

By Darryl Fears

Washington Post, February 22, 2017

Over several decades in the past century, city populations swelled as Americans moved away from rural forests. Now the forests are moving farther away from Americans.

A new study of satellite images taken over 10 years starting in 1990 shows the rural forest canopy disappearing. Forest space disappeared from the United States in such big chunks that the average distance from any point in the nation to a forest increased by 14 percent, about a third of a mile.

While that's no big deal to a human driving a car with a pine-scented tree dangling from the rearview mirror, it is to a bird hoping to rest or find food on epic seasonal flights across the globe, according to the study published Wednesday in the journal PLOS One.

But forests aren't just for the birds. They improve the quality of life for fauna and flora, from bears to flowers. Altering forests can change the dynamics of ecosystems and can potentially "affect water chemistry, soil erosion, carbon sequestration patterns, local climate, biodiversity distribution and human quality of life," a statement announcing the report said.

Using forest maps over the continental United States, researchers Sheng Yang and Giorgos Mountrakis of the State University of New York at Syracuse marked tree canopy that disappeared over a decade in red to highlight the change. In one illustration included in the study, the page appeared to bleed.

"So if you are in the western U.S. or you are in a rural area or you are in land owned by a public entity, it could be federal, state or local, your distance to the forest is increasing much faster than the other areas," Mountrakis said. "The forests are getting further away from you."

One of the findings of the study is a twist that Yang, a graduate student, and Mountrakis, an assistant professor at the College of Environmental Science and Forestry, didn't anticipate. The disappearance isn't happening in cities, where people often complain about the uprooting of trees for development. It's happening in rural America, where trees are falling and hardly anyone hears.

That finding turns conventional wisdom about forest loss on its head, Mountrakis said. "The public perceives the urbanized and private lands as more vulnerable, but that's not what our study showed," he said. "Rural areas are at a higher risk of losing these forested patches."

"Typically we concentrate more on urban forest," said Sheng, "but we may need to start paying more attention — let's say for biodiversity reasons — in rural rather than urban areas. Because the urban forests tend to receive much more attention, they are better protected."

While people in the sticks are losing their forests, the relationship between urban dwellers and trees is a love story. Dating back to when President Thomas Jefferson denounced the removal of trees that cooled the new capital city as "a crime little short of murder," Jill Jonnes wrote in her book, "Urban Forests," city slickers have fought to defend the little green space they get.

Rock Creek Park in the District of Columbia, Central Park in New York, Piedmont Park in Atlanta, Griffith Park in Los Angeles, and Golden Gate Park in San Francisco are examples of urban forests that are fussed over, pampered and protected by law. They are also cherished gathering places that help define their cities.

The remote areas that Americans have come to know as wild lands are being whittled away by farms, development and wildfire, particularly in the West, Mountrakis said. Arizona, Colorado and Nevada saw significant attrition or separation of forests, according to the satellite images.

In California and Colorado, trees stressed by drought are being eaten to death by beetles, standing dead on mountainsides by the hundreds of millions, virtual ghost forests. Ecologists argue whether fires that might consume them are a good or bad thing, in that it would kill the beetles yet threaten homes too close to the forest edge. Human development is another grim agent of tree canopy loss.

The researchers said they hope public land managers, such as the U.S. Forest Service and Bureau of Land Management, along with officials at the state level, will pay attention to their research. They hope to follow up the study with research into the drivers behind the loss of forests.

But the pictures don't lie, he said. There's no doubt that huge clumps of trees are disappearing.

"You can think of the forests as little islands that the birds are hopping from one to the next," Mountrakis said. The loss of forests has side effects. It alters the local climate, decreases biodiversity and leads to soil erosion. "This is the major driver — we can link the loss of the isolated patches to all these environmental degradations," he said.

The study tracked the loss of forest by calculating the distance to the nearest forest from all points on an area map, Mountrakis said. They noticed that some chunks of tree space disappeared within a forest, but that has less of an environmental impact as forests that wither on the edge, slowly transforming them into islands.

Climate Change Tied To Nation's Infrastructure Needs (The Hill)

By Rep. Raúl M. Grijalva

The Hill, February 22, 2017

In what's become a troublingly common occurrence, the combination of extreme weather and crumbling infrastructure threatened the residents of another American community in California not long ago. Extensive rainfall in Northern California damaged the spillway of the Oroville Dam – the nation's tallest – and threatened numerous communities below the dam with massive flooding.

As The Atlantic reported on Feb. 13, "drought, climate change, and aging infrastructure combined to create a looming catastrophe." Nearly 200,000 residents were forced to flee their homes. Families scrambled to find shelter, gas stations were gridlocked, and stores ran low on supplies.

Residents, given mere minutes to evacuate, worried whether their homes would be standing by week's end.

It now appears this crisis was averted, but these kinds of weather extremes and their impacts on our aging infrastructure are becoming more and more common, and the causes are not mysterious. Scientists are documenting a rise in extreme weather events across the United States in response to a warming climate, and Congress has failed to make needed investments in our infrastructure for decades.

What we saw in Oroville should push Congress to understand not just why our infrastructure – the humble roads, dams and bridges we keep hearing about – needs a massive upgrade, but why the risks to that infrastructure are getting worse. Building taller dams or replacing washed-out roads without acknowledging why they keep failing is a recipe for very expensive disasters.

In 1980, when the federal government began collecting data on the number of billion-dollar climate disasters every year, there were only three with losses exceeding $1 billion. In 2016, there were 15 climate disaster events with losses exceeding $1 billion across the United States.

Climate change does not just mean more days with record high temperatures. It means all kinds of extreme weather events will become more frequent and more severe as the planet continues to warm. Floods will become more devastating. Wildfires will burn hotter. Droughts will last longer and affect new areas.

Those fleeing the possible flooding in California were by no means the first climate refugees. Over the past 10 years, the Isle de Jean Charles community in Louisiana has lost two-thirds of its residents to dislocation because of rising sea levels. On Washington's Olympic Peninsula, the Quinault Indian Nation must rely on a 2,000-foot-long sea wall for protection until it can complete its move uphill. In Alaska, climate change flooding and shoreline erosion already affect more than 180 villages, 31 of which are in "imminent" danger of becoming uninhabitable.

If we continue with business as usual, roughly 13 million Americans could become climate refugees by the end of the century. Avoiding this future for our kids and grandkids will require the United States to take decisive action now. Unfortunately, standing in the way is a fact-averse President Trump who calls climate change a Chinese hoax and a Republican Party addicted to campaign contributions from the oil and gas industry.

Just this month, Republicans on the House Natural Resources Committee voted against even acknowledging that human activity is a major contributor to climate change. As long as Republicans in Washington decide they would rather do the bidding of the same old corporate interests and big oil lobbyists than work with Democrats to reduce carbon pollution, climate change will continue to get worse.

More than 70 percent of Americans acknowledge that global warming is happening and more than 90 percent of published climate scientists believe human activity is the primary cause. Scientists tell us that carbon pollution is causing the climate to change 170 times faster than natural forces. Yet President Trump and Republicans in Congress continue to ignore the problem and push an extreme agenda that tips the scales on behalf of the fossil fuel industry and special interests.

It's long past time to get past phony debates about the existence of climate change and get to work on serious climate solutions. This will mean establishing pollution limits and moving away from dirty energy sources that pollute our climate, air, and water.

And if the Trump administration is serious about a bipartisan infrastructure package, they and Congressional leaders must be willing to invest real money and admit that our changing climate is one of the most serious challenges we face. The longer we wait, the more we can get used to seeing the sights we witnessed in California.

Grijalva is ranking member of House Natural Resources Committee and represents Arizona's 3rd District.

The views expressed by this author are their own and are not the views of The Hill.

Region VIII Clips
Thursday, Feb 23, 2017

ANALYSIS

- *Colorado*: A lengthy letter to the editor argues against a new hydrology study in Estes Park… A business development group in Sterling says it has new SBA "grants" to help businesses affected by the 2013 floods. … Dry, warm weather has led to fire bans across the Denver metro area.
- *Montana*: No FEMA-related stories
- *North Dakota*: Two stories report on the mostly voluntary evacuation at the camp of protestors against an oil pipeline being built… AP reports on a meeting today with Senators Hoeven and Heitkamp at Drayton with various officials to discuss flood preparedness … A press releases announces a public meeting, also accessible via video and telephone, on emergency preparedness.
- *South Dakota*: The Pretty Flower Fire has been contained and evacuation orders lifted.
- *Utah*: Three stories report on the extensive flooding in Box Elder County, including a prediction by Lieutenant Governor Spencer Cox that the state would request federal help and that the damage there and in Cache County would meet "thresholds" for that help. (Box Elder County is north and west of Great Salt Lake; Cache County is east of there and of I-15, around Logan)…. Congressman Jason Chaffetz of Utah is demanding records from FEMA on the mobile housing units in Louisiana after an elderly man was found dead in an overheated unit there.
- *Wyoming*: The *Powell Tribune* reports on the flooding along the Big Horn and Greybull rivers… The USDA proposes a program to help identify areas that might be at risk from flooding… A Cheyenne task force to fight blight is considering a FEMA grant that provides money for remediation.
- *Other FEMA-related stories*: The *Washington Post* reports on a loss of forest canopy in the U.S., particularly in rural areas and in the West… An Arizona congressman writes in an opinion piece that climate change and aging infrastructure combine to cause increasing problems, including "climate refugees" within the U.S.

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Letter To Town Board And Citizens Of Estes Park Re: New Hydrology Study (Estes Park News)

New Small Business Administration grants offered to help businesses impacted by flood (Sterling Journal Advocate)

More Communities Put Fire Bans in Place on Colorado's Front Range (CBS Ch. 4, Denver)

MONTANA:

No FEMA-related stories

NORTH DAKOTA

Two minors injured at DAPL protest after ordered evacuation (WDAZ TV)

North Dakota Arrests 10 as Pipeline Protest Camp Empties (NY Times)

Hoeven, Heitkamp to discuss flood prep in NE North Dakota (AP)

Public Hearing on Emergency Preparedness Activities (North Dakota Ag Connection)

SOUTH DAKOTA:

Wildfire Contained, Evacuation Orders Lifted In Western SD (AP)

UTAH:

Utah to ask for help from feds over northern Utah flooding (KUTV)

Utah National Guard deployed as 90% of Box Elder County communities affected by flooding (Fox 13)

'Difficult times:' National Guard, neighbors step in to help following Box Elder County flooding (Deseret News)

Utah congressman demands FEMA's Louisiana flood records, says man died in overheated trailer (Baton Rouge Advocate)

WYOMING:

Flooding in Big Horn County (Powell Tribune)

USDA proposes future flood relief program (Northern Wyoming Daily News)

"Fight The Blight" Task Force Considers Ways To Tackle Properties (Wyoming Tribune Eagle, Cheyenne)

FEMA-RELATED STORIES

You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

Americans Once Moved Away From Forests. Now Forests Are Moving Away From Americans. (Washington Post)

Climate Change Tied To Nation's Infrastructure Needs (The Hill)

STORIES

COLORADO:

Letter To Town Board And Citizens Of Estes Park Re: New Hydrology Study

(Estes Park News)

- Feb 22, 2017

HISTORY:

In the 1970's when the federal government started getting increased demands for disaster relief it was decided that some sort of regulation was needed to try to prevent losses and that some sort of mandatory federal insurance was needed offset the losses. FEMA was formed. Although FEMA provides recovery funds for all sorts of disasters flooding was the most common and the most predictable. It is the easiest to keep people away from (it's hard to tell people they can't build in "Tornado Alley" when you can't define it). It was decided that the reasonable level to regulate to would be the 100 year flood. That is the level of water that has a 1% chance of happening in any given year. It is only a statistical number. It could happen or be exceeded in any given year or several times in 100 years or not happen in 500 years. Laws and regulations and insurance rates were passed. Rules were established to determine what amount of water would be the statistical 100 year event on any given waterway using historic measured data or by estimating data by hydrologic studies. The rules state that where measured flow data exists for more than 10 years that it should be the basis. This makes sense since the result is a statistic and measured data is always more accurate than estimated data. We are fortunate in that the stream gage at the Visitor Center has a daily record for 69 years. Fall River has 29 years of intermittent records dating back to 1945.

Hydrology is the study of water runoff. Contrary to the opening statement of the new study, it is not a new science. It has been around for many decades and has been the basis for design for everything from street culverts to the world's largest dams with millions of lives at risk. Its fundamentals are universal. To say that the hydrology of the 1977 study or

subsequent studies is no longer relevant is wrong. There is no evidence of them being in error or inadequate. There is another 40 years of records which further substantiates prior records. All of the previous studies and reports have led up to the most recent study and regulation which was approved by FEMA, the State of Colorado and the Town in March of 2013. This study does not differ significantly from anything done in prior 40 years. One has to ask how one event that statistically could happen in any given year could cause results that are multiples higher in the new study than anything before. The answer is that it shouldn't. What did happen is the State of Colorado got much criticism after the 2013 flood for not being better prepared or getting warnings out sooner. The result was to pass legislation providing grants for local governments to redo their regulations to provide "more protection" i. e. make larger regulated flood plains. This results in more insurance revenue for FEMA with reduced risk. It also makes properties that were not previously in a flood plain almost totally restricted, virtually prohibiting replacement and redevelopment and establishes mandatory insurance that costs thousands of dollars. The whole goal of a flood regulation is to get buildings out of the floodway. This will have a devastating effect on the westerly portion of the central business district and to the town economy. It also is a major injustice to those owners who have built or purchased improvements that at the time were legally outside the floodway. Now, because of a major change in interpretation, their property is reduced to a fraction of its value. Not only will these properties not be able to expand to compete, if they are damaged by any cause to 50% of their value they will not be able to be replaced leaving ground that is virtually worthless. Beyond that they immediately will be hit with mandatory flood insurance that costs much more than normal hazard insurance and only covers floods (that in the expanded areas have only occurred once, in 2013, in recorded history). This added cost will have to be passed on with higher prices on goods sold leaving the whole area at a competitive disadvantage. I cannot imagine a merchant renewing a lease under these conditions.

THE NEW HYDROLOGY STUDY:

The proposed hydrology study when first submitted after extensive peer review by "esteemed" professionals had a 2013 flow in Fall River of 3800 cfs which was used in developing flow models and resulted in a 100 year flow of 3580 cfs. This was based on a single flow estimate using a new method called the "critical depth method" instead of the traditional "Manning's Equation" which is a more involved method. It was pointed out in a prior review that even when properly applied the "critical depth method" will always yield high results due to disregard for debris, sediment, turbulence and not having a level water surface. It may be faster and easier but it is not accurate. After it was shown to the consultants that 3800 cfs could not of occurred, they had the person who developed the "critical depth method" go back and check the Fall River Lane Bridge that did not over top.

He then came up with the number of 2000 cfs which is the maximum that can be put through the bridge, filling it all the way to the bottom chord. This could not happen without creating a back water and did not happen as verified by eye witnesses. The request to adjust this number was denied and it is reflected in the final version of the study. Even this amount of correction brought the 100 year event down to 1860 cfs. Which is a reduction of almost ½ from what would have been adopted had the study not been objected to. This one correction over time amounts to millions of dollars that would have been lost by local citizens.

The Army Corps of Engineers has developed a computer program called HEC – SSP for calculating statistical flow quantity frequencies from stream data that is the required method to be used for flood studies. FEMA has published guidelines for how data is to be treated. Bulletin 17B specifically describes the method by which events that are so far different from the regular range of events are determined to be "outliers". These outliers are treated in a historical context rather than a systematic event. This has the effect of buffering and significantly lowers the 100 year event. The length of the historical context is dependent on how long a period has expired since a similar event. The longer the period the more the buffering. There is no doubt that the 2013 event on Fall River is an outlier as the calculation was preformed both by the consultant (Appendix B, p. 99/333) and by Van Horn Engineering in its review (Appendix H, p. 266/333). In its response to the VHE review (p. 266/333) the consultant refuses to consider 2013 a historic event even though it is an outlier stating there is no prior historic evidence (p. 266/333). This is categorically untrue as the flow of Fall River is included with the Big Thompson and Black Canyon at the Visitor Center gauge which has 69 years of record and is a short distance downstream. The combined flow of all three has never approached the Fall River outlier providing historic proof positive. The instructions specifically say for the preparer to investigate all available history and adjacent data. Modern occupation and written accounts date back to the 1870's and no similar event has ever been recorded nor is there any physical evidence which would still be evident had it occurred. If the 100 year event were correctly calculated (VHE review p. 263 – 271/333) it would come much closer to previously approved studies.

CONCLUSIONS:

The effects of adopting the study as presented are uncalculatable. By increasing the 100 year event by multiples many properties that have not been in the flood plain since its inception 40 years ago will now be severely restricted and heavily taxed by flood insurance. The values of these properties will be a fraction of what they are now. This represents a taking for a public purpose without compensation (like condemning land for a road) and the Town needs to be very careful and sure before they take such an action. It is hard to imagine a very high confidence level in a study which has already been shown to have very large errors in

its estimates. In most instances of the government changing regulations there is a provision of "grandfathering" those people who legally relied on previous rules. This is not the case here and the total loss will be borne by the impacted individuals who have to depend on their elected officials to protect their interests.

There are two things the Town Board can do. One is to send the study back to the consultants and tell them to not to use impossible estimates for Fall River and to follow the rules and treat the 2013 flood as the historic event that it was. The other is to not adopt the study at all and use the perfectly valid and approved 2013 study which is the legal regulation now. The flood maps are going to have to be redrawn no matter which hydrology is used because of channel changes. This will establish the new flood regulation.

Bill Van Horn, PE 9485

New Small Business Administration grants offered to help businesses impacted by flood (Sterling Journal Advocate)

Jones gives yearly report on Small Business Development Center activities

By Callie Jones

Journal-Advocate news editor

POSTED: 02/23/2017 07:02:21 AM MST

Eastern Colorado Small Business Development Center is again seeking to help businesses impacted by the 2013 South Platte River flood. Laurie Jones, SBDC's Logan County business consultant, spoke to the commissioners Tuesday about the second round of a flood/disaster recovery grant program.

After the flood first hit, Jones had over 100 businesses contact her and at that time the Small Business Administration (SBA) came to Sterling and established an office with FEMA (Federal Emergency Management Agency), to help business owners and residents impacted by the flood apply for an SBA loan. Eligible applicants could get up to $50,000.

"The challenge we had is the requirement is they had to go through the SBA loan process in order to qualify. That was a very lengthy and it was a very frustrating process, and it was a direct to the SBA, as opposed to going through a bank," Jones said.

Because of that, in Logan and many other counties, there weren't many people that received funds. Though Jones did say she had some clients get a $50,000 grant and more often they received $5,000-$10,000 grants.

The state has now changed the program and Jones is able to go back and reach out to those 100 clients, "and of those I think I've got a pretty good shot, if they're willing to go through the process, of getting them some grant funding," she said.

She noted this time the application is much simpler, but applicants must prove that due to the flood they lost at least $5,000 in revenues and it can't just be during the days the city was shut down during the flood. They have to show financially that into 2014 they had less revenue than, say, in 2013, 2012, etc.

"So, we have a process, it's much more streamlined and I believe based on the people I've already met with I can get a lot of money out into the hands of them," Jones said.

She pointed out that child care providers were a real challenge in the first round of grants and she's still not sure they'll be able to meet that $5,000 loss, "but I'm going to go back out and try to reach through that group again," Jones said.

There is an emphasis to try to get this outreach done over the next couple months, because as things change there is no guarantee SBA will continue to have that grant funding available.

Jones noted the new program also includes fires, so she is trained in if there is any kind of major disaster here, "we now have a process that we can step into to help our business community with some funds," she said.

Additionally, Jones gave a yearly report on SBDC. Over the last five years, she's met with about 210 business owners in Logan County and there are around 600 to 650 businesses total....

Callie Jones: 970-526-9286, cjones@journal-advocate.com

More Communities Put Fire Bans in Place on Colorado's Front Range (CBS Ch. 4, Denver)

February 22, 2017 12:03 PM

Filed Under: Fire Bans, Wildfires

DENVER (CBS4) – For a stretch of 37 days there has been no measurable precipitation across the Denver metro area.

With that dry weather and persistent unseasonably warm weather fire danger has shot up, and several county and city managers have enacted fire restrictions in the past few days.

The following is a list of all the areas with fire restrictions:

– Jefferson County (unincorporated areas), plus Lakewood and Golden – Stage 1 fire restrictions (see below)

– Arapahoe County – ban on all open fires and open burning

– Adams County (unincorporated areas) – Level 2 Burn Restriction

– Douglas County, plus Castle Rock

– Boulder County, plus Lafayette

– Teller County

– Elbert County

– Lincoln County

– Las Animas County

Check the website coemergency.com for the latest updates on fire bans in Colorado.

Officials in Golden described the Stage 1 restrictions as follows:

All open burning, including bonfires; open flame torches and welding in wildfire risk areas and model rockets are prohibited. Also banned is the use of recreational fires within 30 feet of undeveloped areas including green belts and open space lands. Smoking within six feet of any outdoor area not cleared of combustible vegetation is also prohibited.

Exceptions to these temporary restrictions include: supervised public fireworks displays by a state licensed operator (subject to specific GFD operational permit requirements); outdoor cooking fires contained within commercial gas fueled grills, enclosed wood or wood pellet grills or smokers; enclosed outdoor fireplaces or chimineas; powered yard equipment for landscape purposes; any federal, state or local law enforcement officer or member of an organized rescue or firefighting force in the performance of an official duty.

Wildfire Resources

– Visit CBSDenver.com's Living With Wildfire section.

MONTANA:

No FEMA-related stories

NORTH DAKOTA:

Two minors injured at DAPL protest after ordered evacuation (WDAZ8)

CANNON BALL, N.D. — A few dozen protesters remain camped out Wednesday night, despite the day's 2 p.m. evacuation deadline.

After taking a break Wednesday, come 9 a.m. Thursday, crews are moving in, saying the region is on the brink of an environmental disaster.

The 2 p.m. deadline has passed and up to 50 protesters remain. The state is giving them until 9 a.m. Thursday to get out.

"They will have every opportunity to leave the camp tomorrow without arrest," Gov. Doug Burgum said at a press conference Wednesday evening at the Morton County Courthouse..

Ten protesters did turn themselves in Wednesday outside the camp.

"You had to try and be arrested today," said Burgum.

For the most part, the arrests took place without incident.

"We are following up on a hip injury involving someone who was arrested," said Morton County Sheriff Kyle Kirchmeier.

Prior to the evacuation, there was one last march against the Dakota Access Pipeline.

More than a hundred protesters left Cannon Ball to avoid arrest.

The governor says about 70 people have taken advantage of a state-funded program supplying them with hotel rooms and bus tickets.

While Burgum could not provide a cost to taxpayers at this time, he calls the program his decision.

"We are saving taxpayer dollars anytime we can buy a bus ticket and hotel room versus trying to put them through the legal system," Burgum said.

There was a near tragedy Wednesday as protesters intentionally set nearly two dozen buildings inside the camp on fire.

In one of the blazes, a 7-year-old boy was hurt along with a 17-year-old girl following either an explosion or flames that got out of control.

'There was a 17-year-old woman who was severely burned and she's been airlifted to Minneapolis," Burgum said.

After not being allowed in the camp Wednesday, contractors hired by the Army Corps of Engineers plan to return first thing in the morning.

It's a race against time and the cleanup could take more than three weeks due to the amount of debris left behind, the cost to taxpayers, likely over $1 million.

"To ensure none of this garbage, none of this waste, debris and structures and vehicles end up in the reservoir. That would be an environmental catastrophe," said Col. John Henderson of the Army Corps of Engineers.

Due to the amount of junk still left behind and not knowing what is buried beneath feet of mud, the contractors actually underwent hazmat training for their safety.

The company building the pipeline says they could have oil flowing as soon as March 6.

North Dakota Arrest 10 as Pipeline Protest Camp Empties (NY Times)

CANNON BALL, N.D. — The fires burned for hours on the flat, muddy landscape, their thick smoke rising through snowflakes that tumbled to the ground. Someone rode a snowmobile across the dirt, and others moved their belongings to the side of a rural highway. The police gathered, prepared to follow the governor’s order to clear people from this rural part of the state.

But the Wednesday afternoon deadline for protesters of the Dakota Access oil pipeline to empty their largest encampment passed with far more uncertainty than unrest. In the hours after the deadline, the authorities made 10 arrests but said they would not fully empty the camp on Wednesday night.

Roughly 25 to 50 demonstrators were believed to remain in the mandatory evacuation zone, said Gov. Doug Burgum, who said cleaning crews planned to enter the camp Thursday morning. “Anyone who obstructs our ability to do cleanup will be subject to arrest,” Mr. Burgum said.

The scene here, about an hour's drive south of Bismarck, the state capital, seemed to represent a muffled end to a specific and passionate protest that drew thousands of demonstrators and became central to the national debate about energy, the environment and the rights of Native Americans. Protesters argued that the nearly completed pipeline, now moving ahead with the support of President Trump's administration, could imperil the drinking water supply on the Standing Rock Sioux Reservation.

"We won," said Vanessa Red Bull, 54, who has spent months here. "We slowed that pipeline down months and months and months. We cost them who knows how much money. And we slowed them down."

She added, "This has been a multilayered event that has brought attention to glaring issues."

Ms. Red Bull and her allies won a brief victory last year, when the Army Corps of Engineers said in the waning days of the Obama administration that it would conduct an environmental impact study before allowing the 1,172-mile pipeline to cross Lake Oahe, the Missouri River reservoir near the encampment. But the beginning of the Trump administration brought a swift and substantial defeat: an instruction that the Army abort its study, a decision that allowed construction to resume.

Barring court intervention, oil from the Bakken fields in western North Dakota could flow through the pipeline this spring. But on Wednesday, the matter at hand was what to do with the encampment, which had become an abiding and, for some, spiritual symbol of activism. State officials cited fears of flooding for the governor's decision last week to order a mandatory evacuation of the site.

"It's time for protesters to either go home, or move to a legal site where they can peaceably continue their activities without risk of further harm to the environment," the North Dakota attorney general, Wayne Stenehjem, said in a statement. Officials said that trash at the protest camps would pose an ecological risk if it were washed downstream by flooding, and that urgent cleanup was necessary.

Both sides have accused the other of escalating tension and engaging in violence since the protest started last year as a decidedly local affair. The camps ultimately swelled to thousands in the summer and fall, with Native Americans and supporters from across the country gathering in spirited opposition and setting up a makeshift society in the camps, complete with cooking tents and supply areas.

But on Wednesday, months of tension mostly gave way to a somber calm as demonstrators left and a cold rain turned to snow. Some protesters set fire to semipermanent structures before the 2 p.m. deadline.

"It's an act of defiance," Nick Cowan, 25, said as he watched a fire burn on Wednesday after living here for more than two months. "It's saying: 'If you are going to make us leave our home, you cannot take our space. We'll burn it to the ground and let the earth take it back before you take it from us.'"

Two youths were injured at the camp Wednesday, apparently from the fires, officials said, including a teenage girl who was hospitalized with severe burns.

North Dakota officials offered meals, lodging, a medical exam and a bus ticket to anywhere in the 48 contiguous states for protesters who left by Wednesday afternoon but needed help getting home.

That approach was at odds with events of recent months, when the demonstrators sporadically clashed with the police, leading to the activation of the North Dakota National Guard and hundreds of arrests. The police sometimes used tear gas and rubber bullets. The North Dakota Guard said on Wednesday that it had spent more than $8 million responding to the protest since August.

Despite the lingering frustrations, tensions seemed to have eased in recent weeks as the ranks of demonstrators declined during the harsh winter. Dave Archambault II, the chairman of the Standing Rock Sioux Tribe, which has sued seeking to block the pipeline construction, urged protesters to go home.

On Wednesday, many of them did.

“I think people are saying goodbye,” said Ms. Red Bull, who spent about six months here. “I think that’s why people are setting things on fire: as a way of a last homage to what had become many people’s homes. A community was here.”"

Hoeven, Heitkamp to discuss flood prep in NE North Dakota (Associated Press)

DRAYTON, N.D.

North Dakota's two U.S. senators will be in Drayton on Thursday to discuss flood preparation in northeastern North Dakota this spring.

Sens. John Hoeven and Heidi Heitkamp will meet with federal, state and local officials in the afternoon. The meeting is aimed at making sure communities are prepared for possible flooding.

After the flood outlook meeting, Hoeven and Heitkamp will tour Drayton's earthen levee.

The recent flood outlook from the National Weather Service shows an increased risk for moderate to major flooding in the northern Red River Valley. The outlook also projects near-record runoff for the Devils Lake Basin.

Public Hearing on Emergency Preparedness Activities (ND Ag Connection web site)

The North Dakota Department of Health has scheduled a public meeting designed to educate the general public about emergency preparedness activities and provide an opportunity for public comment. The meeting will be held March 2 at 1 p.m. CST at 1720 Burlington Drive in Bismarck. Participants may also join via teleconference by dialing 1-855-361-4591. In addition, the public also can participate through video conference at participating local public health units throughout the state where video conference is available, or the meeting can be accessed online via live webcast.

"Extensive use of the public health and medical response systems have been successfully implemented in the last several years in response to civil disturbances, equipment malfunctions at medical facilities, medical facilities evacuations, fires, flooding, tornadoes and other weather emergencies," said Tim Wiedrich, section chief of the Emergency Preparedness and Response Section of the North Dakota Department of Health. "This meeting will give people a chance to learn about the work that has been done and give us feedback."

The meeting will start with a presentation highlighting the planning that has been done and will conclude with time for comments. To participate, contact your local public health unit or call the toll-free phone number. To access the webcast online, follow these instructions:

Step 1. Before the webcast, please check that your computer can play Windows Media streams. Mac users may download Windows MediaComponents for Quicktime from www.microsoft.com.

Step 2. Type the following link into your browser: http://www.ndhealth.gov/WebcastHigh.asx. The feed typically starts within 15 minutes before the scheduled time. The webcast is for viewing only. If you wish to ask a question, please call the teleconference line.

Please note that there is a delay between the webcast and teleconference feeds by several seconds. If you are watching the webcast and would like to call in with a question, please use your phone's audio instead of the computer to avoid confusion due to the sound delay.

SOUTH DAKOTA:

Wildfire Contained, Evacuation Orders Lifted In Western SD (AP)

Associated Press, February 22, 2017

HAYWARD, S.D. (AP) — A wildfire that threatened up to 30 homes in western South Dakota has been contained and evacuation orders have been lifted.

Incident Commander Ray Bubb declared the fire 100 percent contained Wednesday morning. Two engines and two crews were left in the area to finish mopping up the fire that started Tuesday and had spread to over 33 acres of mostly private land near Hayward.

Investigators say the fire, dubbed the Pretty Flower Fire, sparked from a burning slash pile and spread because of dry, warm and windy conditions Tuesday morning. By late Tuesday afternoon the fire crews had begun to leave the fire as it was 75 percent contained.

Officials say all remaining work on the fire has been handed over to the South Dakota Wildland Fire Suppression team.

UTAH:

Utah to ask for help from feds over northern Utah flooding (2 KUTV)

BOTHWELL, THATCHER, ELWOOD and NORTH GARLAND: the Box Elder County Emergency manager said those are among the areas with the most dramatic flooding -- which has now stretched for days.

The county reported Wednesday 30,000 bags have been filled with roughly 700 tons of sand for the most immediate response; and a dozen members of the Utah National Guard arrived in Tremonton, Utah, with a machine to automatically fill the bags at the Box Elder County Fairgrounds.

Lt. Governor Spencer Cox choppered above the flooding on Wednesday, said he was surprised by the amount of standing water on property north of Ogden, and said the state will make a plea to help from the federal government.

Cox thought damage "thresholds" have been met to trigger federal aid. What is unclear is whether that money, if approved, would go solely to cover repairs to public infrastructure, or whether private property owners could get some assistance.

Cox said he is most concerned with the high water now, precipitation which is coming, and property damage.

Box Elder County said it has 13 pumps operating now to divert floodwaters, with six more on the way. The county is also "monitoring three landslide locations."

It is also "dealing with floods in western Box Elder County due a Nevada dam break."

Wednesday night, the Red Cross was scheduled to hold an open house at the Aldersgate United Methodist Church in Brigham City for those affected by the flooding.

Utah National Guard deployed as 90% of Box Elder County communities affected by flooding (Fox 13)

BOX ELDER COUNTY, Utah - Dozens of community volunteers worked for hours Wednesday evening to fill hundreds of sandbags at the Box Elder County Fairgrounds.

They took over after the Utah National Guard spent all day filling bags in an effort to relieve massive flooding in the area.

"Twelve personnel right now, so it's a smaller contingent, but we do have a sand-bagging machine," explained Capt. Lance Curzon during a press conference Wednesday afternoon.

Box Elder County Commission Chair Stan Summers said they've gone through 30,000 sandbags and 700 tons of sand, all to combat the catastrophic flood.

"One of the worst floods that I've seen in my lifetime," he said.

He estimated 90 percent of the communities in the county have been affected. The flood filled basements with water, shut down businesses and closed waterlogged roads, he explained.

"Nowhere to go, all the ditches are full, all the canals are full," Summers said.

Lieutenant Governor Spencer Cox saw it for himself Wednesday afternoon, during a tour in a helicopter and on the ground. While the damage was apparent in a video he filmed from the sky, he reported good news.

"The water has receded significantly, and that has to do with the temperature more than anything," Cox said.

Summers also explained they put out more than a dozen pumps to reroute water, and a half dozen more are on the way.

Many roads reopened, with only a couple still not passable.

But Lt. Gov. Cox expressed that what he witnessed also worried him.

"Problem now is has moved north," he said, of the flooding. "We saw that from the air a little bit earlier. It's significant, impacting a lot of houses."

He said they are assessing Box Elder and Cache Counties for flood damage, and initial estimates place it at more than $4 million.

That would be enough to call for federal emergency assistance, he said.

While the Utah National Guard is helping for now, they're also urging the community to continue step in.

"If you are okay, then go help your neighbors," Summers said, stopping to hold back tears.

He said he's seen so much of that already, and Lt. Gov. Cox agreed, saying it's been inspiring for him to see the outreach in this time of crisis.

'Difficult times:' National Guard, neighbors step in to help following Box Elder County flooding (Deseret News)

ELWOOD, Box Elder County — Following four days of extensive flooding in Box Elder County, Stan Summers couldn't hold back his emotions while describing the plight of one particular resident.

"There was an older gentleman that (approached us) and said, 'I don't have any money, can I get some sandbags?'" Summers, a Box Elder County commissioner, told reporters in Elwood through tears. "I don't know what you tell them besides, 'just get in here, load your sandbags up, where do you need them?'"

Warm weather, rainfall and massive snowmelt have resulted in flooding affecting up to 90 percent of communities in Box Elder County, officials estimate. The Utah National Guard was called to assist large-scale sand-bagging efforts Wednesday.

About 12 soldiers from Camp Williams responded to the Box Elder County Fairgrounds with an automatic sand-bagger, according to the National Guard.

"When it's operating at its peak efficiency, it's very helpful," National Guard Capt. Lance Curzon said. "We're able to fill up sandbags and put them on those pallets very quickly."

The response hasn't gone unnoticed by local officials.

"We appreciate everybody coming and doing these things for us," Summers said. "It's a little overwhelming to say the least in the last four days to watch everybody come together."

The widespread flooding of roads and homes means that opportunities for reaching out are plentiful, Summers said.

"I'd just say, if you're OK, you don't have to look very far to go help your neighbor," he said.

About 30,000 sandbags have been filled with 700 tons of sand and distributed to 25 locations throughout the county, Summers said. Thirteen heavy-duty pumps are in place to protect homes, businesses, fields and roadways, with six more on the way.

Salt Lake County also pitched in after an official made a call to the county mayor.

"They don't have time to go out and fill (sandbags) because they're out on the streets really protecting their community," Salt Lake County Mayor Ben McAdams said. "So I said, 'let me see what I can do we'll get some people together and get some sandbags up to you ASAP.'"

Volunteers filled between 3,000 to 4,000 sandbags Wednesday morning in Midvale; they were shipped to Tremonton in five large trucks early Wednesday evening.

"I know they'd do the same for us if we were in crisis. They'd help out," McAdams said.

The American Red Cross teamed up with state and local agencies at the Aldersgate United Methodist Church, 850 S. 200 East in Brigham City, to create a one-stop help center for flood victims.

For people like Corinne resident Rick Miller, whose family has a flooded basement and a ruined furnace, finding that help Wednesday was essential. He visited the church in hopes of finding help keeping his home warm.

"We've been living off of our wood-burning stove. ... I don't know if there's a way they can help us with our furnace — if there there's a way they can (help us find) fire wood that's dry," he said.

Summers said Box Elder County residents were mindful of the help coming in from throughout the state.

"We know that we have friends on every side," he said. "It's funny how events like this kind of erase borders between counties and states."

Curzon said he was grateful the National Guard got the call to assist.

"For us -- we have to see people in these difficult times, so we're more than happy to be up here and do everything we can. ... This is why we do it," Curzon said. "This is why all of us volunteered to serve in the military. You know, sometimes we've been called to go overseas, but it's nice to be here in the same communities that we live in."

Lt. Gov. Spencer Cox, who flew to Box Elder County to survey the damage Wednesday, praised those who had devoted "tens of thousands of man-hours" to protect homes and businesses.

"I (knew I was) going to see some terrible things and talk to some people who are having a really, really bad day," Cox said. "But I (knew I would) leave inspired because (of) ... stories about communities coming together, neighbors coming together, people coming together, churches coming together and helping each other out."

Brigham City resident Kerri Petersen drove to Tremonton with her sons to assist flood victims, most of whom she didn't know.

"(It) feels good," Peterson said. "Glad to get my boys helping, too."

Petersen can empathize with the stress of having her home threatened. The crawlspace of her own home flooded last week, she said.

Summers said there has been intermittent flooding in Box Elder County since January, mostly in its western portion.

"It really became a problem when the snowpack started to melt," he said.

Some roadways and canals have been breached in recent days, Summers said, making the situation all the more dire.

Mark Millett, emergency manager for Box Elder County, said the large snowpack, combined with warm, wet storms, is responsible for the flooding.

"As it's melted, the snow has just continued to concentrate the moisture (in place) and in many cases, not really run off too much," he said.

Most Box Elder County and other northern Utah residents can expect falling temperatures and snowfall for a large portion of Thursday, according to a forecast from KSL-TV meteorologist Kevin Eubank.

Temperatures are expected to cool significantly, dropping into the high 20s or low 30s through Saturday.

That forecast is good news to Box Elder officials.

"If we can move into just kind of a cooler warming period to allow us to come off in that more incremental measure, we're fine," Millett said.

Utah congressman demands FEMA's Louisiana flood records, says man died in overheated trailer (The Advocate)

BATON ROUGE – A Utah congressman is demanding the Federal Emergency Management Agency turn over documents on mobile housing units related to the August flood after an elderly man was found dead in an overheated trailer.

"When local authorities inspected the MHU, they discovered temperatures over 137.0 degrees Fahrenheit with the air conditioning and heating control unit reading 50 degrees Fahrenheit," states the letter by Jason Chaffetz (R-Utah), chairman of the House Committee on Oversight and Government Reform.

The letter does not provide specific identifying information on the deceased man or where he was found. FEMA has told committee members that there have been no deaths due to faulty MHUs, Chaffetz's office wrote.

The congressman also raised concerns about the length of time it took to deliver mobile homes to flood survivors and the efficacy of the Shelter at Home program.

WYOMING:

Flooding in Big Horn County (Powell Tribune)

Fifteen minutes. That's all the time Ernie and Teresa Marsh had Tuesday to get themselves and their vehicles out of the path of a flood that no one expected to ever happen near their Big Horn County home.

"It might be one of those 100-year deals," Ernie Marsh said Wednesday. "No one remembers a flood like this right here," off Spence Oil Road between Greybull and Lovell. "Even the county sheriff doesn't remember (a flood) here."

Ice jams in the Big Horn River have caused repeated flooding before in other areas — Worland, Manderson and Greybull, for example. But the Marshes' property sits near a straight section of the river.

"It's kind of odd that (ice) would pile up here," Marsh said.

But pile up it did, and once that happened, the Marshes went into action to get into their vehicles and move them to higher ground, out of the way of the fast-approaching floodwater.

Unfortunately, there wasn't time to salvage much from their mobile home or from the shop where Ernie Marsh does silversmithing.

Later, they moved their horses to higher ground.

"The horses weren't wanting to leave on their own yesterday, so we had to wade out there to move them," Marsh said.

Larry and Dianne Ostermiller of Powell own a cabin on neighboring property.

Larry Ostermiller got a call from the local rural electric association Tuesday telling him that workers were going to shut off power to the cabin, because it had flooded.

"We were just flabbergasted," Dianne Ostermiller said. "We felt like there was no danger."

A 4-foot dike ran around their property, and the Federal Emergency Management Agency didn't have the property listed on a flood plain, Larry Ostermiller said.

When the ice jammed, "the dike held everything out except for in one spot, where a bunch of mice had holes burrowed in the dike," he said. "Cats were digging them out over time, and the water found a weak spot and washed it right out."

Larry Ostermiller got a call Tuesday evening from Marsh, who asked if he knew anyone who had a boat he could use to get things out of his mobile home, as he wasn't sure it would still be standing Wednesday morning.

Ostermiller borrowed a flat-bottomed rowboat from a friend and drove it down to the Marshes' property. They used the boat to make several trips, shuttling valuables and irreplaceable family belongings from the home — family photos, marriage certificates, etc. — to higher ground.

Marsh resumed those efforts the next morning, when he saw the mobile home was still standing.

“The house is still there, and my shop building where I work on stuff,” he said.

The rowboat came in “real handy,” Marsh said, adding with some astonishment, “I’m not often wading in a rowboat in the middle of a desert.”

He said the floodwater contains a lot of unidentifiable debris of different colors, probably from previous flooding upriver.

“There’s a lot of people in Worland that had this happen earlier,” he said.

Another neighbor couple is spending the winter in Arizona, so Marsh said he checked out their property and gave them a report. That house stands a little higher, so it’s barely out of the water, but other buildings on the property were flooded. Ostermiller said the couple had a brand new Jeep Cherokee parked in one of their shops.

Now, it’s pretty much a waiting game.

“We’re not sure if this is going to go up or down,” Marsh said early Wednesday afternoon. “It seems like it’s fluctuated a little bit; the water was down about 6 inches, but now it looks like it’s kind of on the rise again.”

“All I can do is just wait and see what happens and clean up the mess later,” he said. “This is my first flood, so I’m kind of a newbie.”

Neither the Ostermillers nor the Marshes had flood insurance. Until Tuesday, it didn’t seem necessary.

“Ours is not a great situation,” Dianne Ostermiller said. “We’re going to lose a lot financially.”

The Marshes, meanwhile, have lost their home and their business.

Still, Marsh said it could have been much worse.

“We’ve got all our horses, our family’s good, the dogs and cats are OK, so we’re feeling pretty blessed about that,” he said.

Marsh said he and his wife are staying with their son in Byron.

“We’re feeling pretty lucky,” he said. “It happened in the daylight when we could see it coming and we were able to get out of the way.”

Authorities watch river

Four different ice jams caused trouble along the Big Horn River on Tuesday, with reports of some properties flooding in Manderson, Basin and the rural areas between Greybull and Lovell.

"The ice jams are moving along the river in Big Horn County, causing old ice jams to break and move and forming new ice jams as it goes," Big Horn County Emergency Management Coordinator LaRae Dobbs said in a Tuesday Facebook post.

Dobbs said the ice jam between Greybull and Lovell was particularly large.

"Our pre-flood efforts are in place, and the river is being monitored on a continuum. This is the hard part, where we watch and wait," she wrote, adding, "If you live along the Big Horn/Greybull river, please take precautions. Move your animals away from the river, and make preparations for your family to evacuate if you are flooded."

Runoff water reached high levels over the weekend in Manderson at the confluence of the Nowood and Big Horn rivers. Ice from the Nowood River jammed just above Manderson, before it flows into the Big Horn.

"The jam pushed out Monday, and water levels are dropping," Pete Hallsten, district engineer for the Wyoming Department of Transportation, said Wednesday. "The town never got wet, but the water came up into the U.S. 16/20 highway right-of-way. The water was still 2 to 3 feet below the roadway."

The ice jam, which flooded parts of the Worland area last week, remained a couple miles above Manderson on Tuesday.

WYDOT said its maintenance crews continue to provide support in flood mitigation efforts near Worland, Manderson and Greybull.

Those efforts include transporting and placing concrete barriers, providing sand for sandbagging operations, transporting and placing filled sandbags, closing roads when necessary for safety, inspecting bridges and advising officials on flood control efforts.

If the jam hadn't reached Manderson Wednesday or Thursday, "it may be a while, as the weather is forecast to cool down through the rest of the week," Hallsten said. "A good snowstorm is being forecast, with dropping temperatures."

Big Horn River flows through Worland, Manderson and Greybull were high but within the river channel Wednesday.

"Frost is leaving the ground, so runoff water is being absorbed into the ground," Hallsten said. "So even as the melting picks up, the runoff is subsiding. Most of the low-lying snow is melted throughout the Big Horn Basin."

He said WYDOT's main concern remains how the ice might impact area towns and river crossings associated with bridges.

"From what it currently looks like, we are in a waiting game to see what happens," said WYDOT District Maintenance Engineer Lyle Lamb of Basin. "We will continue to support communities along the Big Horn River."

Wyoming National Guard troops were demobilized from the area on Saturday.

USDA proposes future flood relief program (Northern Wyoming Daily News)

WORLAND – The Washakie County Commission heard from a representative from the United States Department of Agriculture on Tuesday, introducing the opportunity to sponsor a flood relief program that could benefit county projects in the future.

Introduced by county Emergency Watershed Manager Laura Galloway of Ten Sleep, primary soil scientist James Bauchert with the USDA explained to commissioners the parameters of the Emergency Watershed Flood Funding program, and the role it could have in the local area.

While the program would not benefit the most recent flooding in Worland, it could help identify potential risk to wildlife and physical structures including private property and bridges.

While the USDA program would work mainly with primary sponsor, the Washakie County Conservation District, the agency would need the commission to co-sponsor, to fulfill a requirement demanding that at least one sponsor have authority of eminent domain and taxation.

"Anytime the phrase 'eminent domain' is used, I get a bit nervous," noted Commissioner Fred Frandson. "I don't like those two words."

Bauchert assured the commission that all authority to invoke eminent domain in the case of an emergency situation remained the power of the commission, and that the USDA had no jurisdiction other than requiring a sponsoring body have the authority.

The commission agreed to review the program with the county attorney, and come to a resolution before the next commission meeting in March.

In other business, Public Health Nursing Manager Amanda Heinemeyer requested a budget hearing, to attain an additional $10,000 for the county vaccination program. The council agreed to review the matter and schedule it for the next regular meeting in March.

"Fight The Blight" Task Force Considers Ways To Tackle Properties (Wyoming Tribune Eagle, Cheyenne)

By James Chilton
Wyoming Tribune Eagle, February 22, 2017

CHEYENNE – Mayor Marian Orr's all-volunteer "Fight the Blight" advisory task force began to discuss the work ahead of it Tuesday, including working out a definition of the blight it's aiming to eliminate.

Task force members discussed the need to properly define the concept of blight to understand what sorts of ordinances it may ultimately recommend to the City Council down the road. To begin, Orr shared her own ideas for what she'd like to see the task force combat.

"My vision is to look more at things that are dangerous. If someone decides to decorate their house with yard gnomes, that's up to them," Orr said. "I think it's attractive nuisances – buildings and properties left vacant ... walking the dog in my neighborhood this weekend, there are abandoned homes being broken into, and it's problematic."

As an example, Orr pointed to a house on Bent Avenue that was only recently declared to be unfit for human habitation by the city's building safety department. Such properties, she said, if left unsecured, could attract both children unaware of the danger and vagrants or criminals.

"That homeowner has 30 days to respond (to the building department's concerns), but where do we go from there?" Orr asked. "It's an out-of-town owner."

Task force chairwoman Julie Gliem tasked member and local attorney Larry Wolfe with researching other municipalities' definitions of residential and commercial blight, with the aim of returning to the task force's March 7 meeting with some workable language members might adopt going forward.

Fellow task force members Dominic Valdez and Steve Borin noted they'd already done some looking into the definitions of blight and found they vary widely depending on the community. Valdez said about the only common theme he saw was that urban blight often went hand in hand with the term "nuisance," though Orr noted even that term can be subject to different interpretations.

"There are at least two different levels (of nuisances), if not three: you have tall weeds and an elderly person who just can't keep up with the yard, or an empty house with an out-of-town owner where the weeds are tall," Orr said. "But there are also homes that have been uninhabited for years that are literally rotting away, and people know the place is not inhabited."

City code enforcement officer Emmett Lusher said the city already has all the legal tools needed to address the first kind of nuisance; it's the latter he said the task force would need to work on. As he explained, he handed out photos, including one of a house on Gopp Court in south Cheyenne where the roof has caved in.

"Is this inhabited?" Valdez asked.

"Not officially, but according to the neighbors, there are people there coming and going," Lusher replied. "There may be some mechanism where, once we have a way to deal with that situation, there may be a way to pay for it or take possession at some point in the process. Then we'd be able to raze it, or in some cases restore the property."

Orr noted that the city is currently working on resuming a program that would tap into a $1 million Federal Emergency Management Agency grant that would provide low-interest loans to some city residents to help remediate their property. She said such a tool may be one way to help encourage owners of distressed properties to clean them up.

Task force members also discussed reviving a program to provide roll-off dumpsters to some neighborhoods that may provide further incentive to clean up messy yards.

Attention then turned to some specific residential and commercial properties task force members want to see addressed, and what sorts of hurdles currently stand in the city's way. Task force member Corey Loghry produced a two-page list of properties in town that, according to the Board of Public Utilities, had their water and sanitation shut off some time ago – in one case, a house last had water service in 2005.

Gliem suggested Lusher could learn more about whether those properties are occupied, while the task force concentrates on what condition they're in and how they might best be addressed.

"Is it a property that simply has tall grass and needs to be cleaned up, or is this a property where we're looking at total demolition? Can we rehab it? Are the foundation and roof still good?" Gliem said. "We need to classify properties based on that criteria. If we have a lot of cleanup properties, that might be something we can do quickly and easily."

As far as drafting ordinances to give the city more leeway to address blighted properties on its own, Orr suggested the task force consider the worst properties first.

"I think we need to start with those properties that are absolutely abandoned, with the second priority being renter-occupied properties where we have landlords that have created really poor living conditions and are taking advantage of their renters," Orr said. "We need to prioritize and knock off some wins as far as taking care of the abandoned structures we know exist within our community."

Wolfe and Borin both suggested the need for the task force to correspond with the city's chief building official and the city attorney once an acceptable blight definition is in place. As they begin to apply that definition to individual properties, those city staffers can begin to assist with crafting specific city ordinances to address ongoing problems.

FEMA-RELATED STORIES:

Americans Once Moved Away From Forests. Now Forests Are Moving Away From Americans. (Washington Post)

By Darryl Fears

Washington Post, February 22, 2017

Over several decades in the past century, city populations swelled as Americans moved away from rural forests. Now the forests are moving farther away from Americans.

A new study of satellite images taken over 10 years starting in 1990 shows the rural forest canopy disappearing. Forest space disappeared from the United States in such big chunks that the average distance from any point in the nation to a forest increased by 14 percent, about a third of a mile.

While that's no big deal to a human driving a car with a pine-scented tree dangling from the rearview mirror, it is to a bird hoping to rest or find food on epic seasonal flights across the globe, according to the study published Wednesday in the journal PLOS One.

But forests aren't just for the birds. They improve the quality of life for fauna and flora, from bears to flowers. Altering forests can change the dynamics of ecosystems and can potentially "affect water chemistry, soil erosion, carbon sequestration patterns, local climate, biodiversity distribution and human quality of life," a statement announcing the report said.

Using forest maps over the continental United States, researchers Sheng Yang and Giorgos Mountrakis of the State University of New York at Syracuse marked tree canopy that disappeared over a decade in red to highlight the change. In one illustration included in the study, the page appeared to bleed.

"So if you are in the western U.S. or you are in a rural area or you are in land owned by a public entity, it could be federal, state or local, your distance to the forest is increasing much faster than the other areas," Mountrakis said. "The forests are getting further away from you."

One of the findings of the study is a twist that Yang, a graduate student, and Mountrakis, an assistant professor at the College of Environmental Science and Forestry, didn't anticipate. The disappearance isn't happening in cities, where people often complain about the uprooting of trees for development. It's happening in rural America, where trees are falling and hardly anyone hears.

That finding turns conventional wisdom about forest loss on its head, Mountrakis said. “The public perceives the urbanized and private lands as more vulnerable, but that’s not what our study showed,” he said. “Rural areas are at a higher risk of losing these forested patches.”

“Typically we concentrate more on urban forest,” said Sheng, “but we may need to start paying more attention — let’s say for biodiversity reasons — in rural rather than urban areas. Because the urban forests tend to receive much more attention, they are better protected.”

While people in the sticks are losing their forests, the relationship between urban dwellers and trees is a love story. Dating back to when President Thomas Jefferson denounced the removal of trees that cooled the new capital city as “a crime little short of murder,” Jill Jonnes wrote in her book, “Urban Forests,” city slickers have fought to defend the little green space they get.

Rock Creek Park in the District of Columbia, Central Park in New York, Piedmont Park in Atlanta, Griffith Park in Los Angeles, and Golden Gate Park in San Francisco are examples of urban forests that are fussed over, pampered and protected by law. They are also cherished gathering places that help define their cities.

The remote areas that Americans have come to know as wild lands are being whittled away by farms, development and wildfire, particularly in the West, Mountrakis said. Arizona, Colorado and Nevada saw significant attrition or separation of forests, according to the satellite images.

In California and Colorado, trees stressed by drought are being eaten to death by beetles, standing dead on mountainsides by the hundreds of millions, virtual ghost forests. Ecologists argue whether fires that might consume them are a good or bad thing, in that it would kill the beetles yet threaten homes too close to the forest edge. Human development is another grim agent of tree canopy loss.

The researchers said they hope public land managers, such as the U.S. Forest Service and Bureau of Land Management, along with officials at the state level, will pay attention to their research. They hope to follow up the study with research into the drivers behind the loss of forests.

But the pictures don’t lie, he said. There’s no doubt that huge clumps of trees are disappearing.

“You can think of the forests as little islands that the birds are hopping from one to the next,” Mountrakis said. The loss of forests has side effects. It alters the local climate, decreases biodiversity and leads to soil erosion. “This is the major driver — we can link the loss of the isolated patches to all these environmental degradations,” he said.

The study tracked the loss of forest by calculating the distance to the nearest forest from all points on an area map, Mountrakis said. They noticed that some chunks of tree space disappeared within a forest, but that has less of an environmental impact as forests that wither on the edge, slowly transforming them into islands.

Climate Change Tied To Nation’s Infrastructure Needs (The Hill)

By Rep. Raúl M. Grijalva

The Hill, February 22, 2017

In what’s become a troublingly common occurrence, the combination of extreme weather and crumbling infrastructure threatened the residents of another American community in California not long ago. Extensive rainfall in Northern California damaged the spillway of the Oroville Dam – the nation’s tallest – and threatened numerous communities below the dam with massive flooding.

As The Atlantic reported on Feb. 13, “drought, climate change, and aging infrastructure combined to create a looming catastrophe.” Nearly 200,000 residents were forced to flee their homes. Families scrambled to find shelter, gas stations were gridlocked, and stores ran low on supplies. Residents, given mere minutes to evacuate, worried whether their homes would be standing by week’s end.

It now appears this crisis was averted, but these kinds of weather extremes and their impacts on our aging infrastructure are becoming more and more common, and the causes are not mysterious. Scientists are documenting a rise in extreme weather events across the United States in response to a warming climate, and Congress has failed to make needed investments in our infrastructure for decades.

What we saw in Oroville should push Congress to understand not just why our infrastructure – the humble roads, dams and bridges we keep hearing about – needs a massive upgrade, but why the risks to that infrastructure are getting worse. Building taller dams or replacing washed-out roads without acknowledging why they keep failing is a recipe for very expensive disasters.

In 1980, when the federal government began collecting data on the number of billion-dollar climate disasters every year, there were only three with losses exceeding $1 billion. In 2016, there were 15 climate disaster events with losses exceeding $1 billion across the United States.

Climate change does not just mean more days with record high temperatures. It means all kinds of extreme weather events will become more frequent and more severe as the planet continues to warm. Floods will become more devastating. Wildfires will burn hotter. Droughts will last longer and affect new areas.

Those fleeing the possible flooding in California were by no means the first climate refugees. Over the past 10 years, the Isle de Jean Charles community in Louisiana has lost two-thirds of its residents to dislocation because of rising sea levels. On Washington's Olympic Peninsula, the Quinault Indian Nation must rely on a 2,000-foot-long sea wall for protection until it can complete its move uphill. In Alaska, climate change flooding and shoreline erosion already affect more than 180 villages, 31 of which are in "imminent" danger of becoming uninhabitable.

If we continue with business as usual, roughly 13 million Americans could become climate refugees by the end of the century. Avoiding this future for our kids and grandkids will require the United States to take decisive action now. Unfortunately, standing in the way is a fact-averse President Trump who calls climate change a Chinese hoax and a Republican Party addicted to campaign contributions from the oil and gas industry.

Just this month, Republicans on the House Natural Resources Committee voted against even acknowledging that human activity is a major contributor to climate change. As long as Republicans in Washington decide they would rather do the bidding of the same old corporate interests and big oil lobbyists than work with Democrats to reduce carbon pollution, climate change will continue to get worse.

More than 70 percent of Americans acknowledge that global warming is happening and more than 90 percent of published climate scientists believe human activity is the primary cause. Scientists tell us that carbon pollution is causing the climate to change 170 times faster than natural forces. Yet President Trump and Republicans in Congress continue to ignore the problem and push an extreme agenda that tips the scales on behalf of the fossil fuel industry and special interests.

It's long past time to get past phony debates about the existence of climate change and get to work on serious climate solutions. This will mean establishing pollution limits and moving away from dirty energy sources that pollute our climate, air, and water.

And if the Trump administration is serious about a bipartisan infrastructure package, they and Congressional leaders must be willing to invest real money and admit that our changing climate is one of the most serious challenges we face. The longer we wait, the more we can get used to seeing the sights we witnessed in California.

Grijalva is ranking member of House Natural Resources Committee and represents Arizona's 3rd District.

The views expressed by this author are their own and are not the views of The Hill.

From: Rivera, Luisa
Sent: 24 Apr 2017 16:54:02 +0000
To: Dick, Jennifer
Subject: FW: FYI: From the Billings Gazette Saturday 11-28
Attachments: @, FYI: From the Billings Gazette Saturday 11-28

Hi Jen;

Below is the 11-28 email in Randy's folder.

Luisa M. Rivera
DHS/FEMA Region VIII, MSD/SSB/RM
R8 Records Liaison Officer and FOIA/PII POC
303-235-4734 (office)
303-482-6042 (cell)
luisa.rivera@fema.dhs.gov



FEMA

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From: Welch, Randy
Sent: Monday, November 30, 2015 9:30 AM
To: Hardegen, Steven <Steven.Hardegen@fema.dhs.gov>
Cc: R8 External Affairs <R8PublicAffairs@fema.dhs.gov>; Wernisch, Phil <Phil.Wernisch@fema.dhs.gov>
Subject: FYI: From the Billings Gazette Saturday 11-28

Decision time in South Dakota on huge Bakken pipeline

· Forum News Service

· Updated Nov 27, 2015

· 1 <http://billingsgazette.com/business/decision-time-in-south-dakota-on-huge-bakken-pipeline/article_12e986c7-b81c-5f3f-9850-37a1cd9a7917.html#comments>

<http://billingsgazette.com/content/tncms/live/#1>

WILLISTON, N.D. — South Dakota regulators are poised to make a decision next week on the Dakota Access Pipeline while North Dakota officials wait for the company to provide more information.

The South Dakota Public Utilities Commission expects to vote Monday on the state's portion of the 1,134-mile pipeline that would carry Bakken crude from North Dakota to Patoka, Ill.

The commission can grant a permit for the South Dakota portion of the route, deny the permit or grant a permit with conditions, said Chairman Chris Nelson. A final order from the South Dakota regulators is due Dec. 15.

"We're at the finish line," Nelson said.

From: Welch, Randy
Sent: 30 Nov 2015 16:29:38 +0000
To: Hardegen, Steven
Cc: R8 External Affairs;Wernisch, Phil
Subject: FYI: From the Billings Gazette Saturday 11-28
Attachments: @

Decision time in South Dakota on huge Bakken pipeline

· Forum News Service

· Updated Nov 27, 2015

· 1 <http://billingsgazette.com/business/decision-time-in-south-dakota-on-huge-bakken-pipeline/article_12e986c7-b81c-5f3f-9850-37a1cd9a7917.html#comments>

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"We're at the finish line," Nelson said.

From: Welch, Randy
Sent: 6 Mar 2017 23:36:30 +0000
To: R8 External Affairs
Subject: next pipeline step

AP story picked up from the Missoulian…

Randy Welch
FEMA Region VIII External Affairs
(303) 235-4619

American Indians protesting Trump, pipeline with march

- Associated Press
- Mar 6, 2017 Updated 2 hrs ago

BISMARCK, N.D. — Members of American Indian tribes from around the country are gathering in Washington for four days of protests against the Trump administration and the Dakota Access oil pipeline that will culminate with a Friday march on the White House.

Starting Tuesday, tribal members and supporters plan to camp each day on the National Mall, with teepees, a ceremonial fire, cultural workshops and speakers. Native American leaders also plan to lobby lawmakers to protect tribal rights.

On Friday, a march of about 2 miles is planned from the Army Corps of Engineers office to the White House, where a rally is scheduled. Organizers on Monday didn't immediately know how many people or tribes planned to take part.

"We are calling on all our Native relatives and allies to rise with us," said Dave Archambault, the chairman of the Standing Rock Sioux tribe. "We must march against injustice. Native nations cannot continue to be pushed aside to benefit corporate interests and government whim."

The White House didn't immediately respond to a request for comment Monday.

The protest comes as a federal judge in Washington is weighing a request by the Standing Rock and Cheyenne River Sioux tribes to halt construction of the last section of the Dakota Access pipeline pending the outcomes of their lawsuit seeking to stop the project. The tribes say that section of the pipeline, which will pass under Lake Oahe, a large Missouri River reservoir, will threaten their water supply, sacred sites and religious rights. The judge is expected to rule this week.

The Friday march will begin at the Corps of Engineers office because the agency manages the Missouri River and last month gave the pipeline developer, Texas-based Energy Transfer Partners, permission to finish the project. The company expects to wrap up the work and have oil flowing this month.

The two tribes feel they weren't properly consulted about the pipeline route, which the government disputes. They also they maintain their treaty rights were violated when the government changed its mind about doing further environmental study of the Lake Oahe crossing after President Donald Trump took office in January.

"This fight against the Dakota Access pipeline has been the tip of the spear of a powerful global movement calling for the United States government and Donald Trump to respect indigenous nations and people in our right to water, land, sovereignty, and culture," said Dallas Goldtooth, an organizer with the Indigenous Environmental Network.

From: Welch, Randy
Sent: 20 Mar 2017 17:19:23 +0000
To: Floyd, Megan
Subject: RE: FEMA R8 clips for Monday 3-20-17

No problem – Cynthia picked up a couple from the national clips. Neither was of much import.

Randy Welch
FEMA Region VIII External Affairs
(303) 235-4619

From: Floyd, Megan
Sent: Monday, March 20, 2017 11:17 AM
To: Welch, Randy <Randy.Welch@fema.dhs.gov>
Subject: RE: FEMA R8 clips for Monday 3-20-17

There were so many for CO, I thought I had gotten them all. Sorry.

From: Welch, Randy
Sent: Monday, March 20, 2017 11:14 AM
To: R8 All Hands <R8AllHands@fema.dhs.gov>
Cc: (b)(6) @state.co.us>; (b)(6) @state.co.us>; (b)(6) @state.co.us; (b)(6) @mail.mil; (b)(6) @mail.mil; (b)(6) @nd.gov; (b)(6) @state.sd.us; (b)(6) @state.sd.us; (b)(6) @utah.gov; (b)(6) @wyo.gov; (b)(6) @acf.hhs.gov (b)(6) @usace.army.mil; (b)(6) @usace.army.mil; (b)(6) @state.mn.us; Peterson, Mark J <Mark.Peterson2@fema.dhs.gov>; (b)(6) @hhs.gov; (b)(6) @hhs.gov; (b)(6) @hhs.gov; (b)(6) @sba.gov; (b)(6) @sba.gov; Nelson, Jason <Jason.Nelson2@fema.dhs.gov>; (b)(6) @fs.fed.us; Alexander, Daniel <Daniel.Alexander@fema.dhs.gov>; (b)(6) @atf.gov; (b)(6) @aveshka.com; Carlson-Sherbo, Diana <Diana.Carlson-Sherbo@fema.dhs.gov>
Subject: FEMA R8 clips for Monday 3-20-17

Region VIII Clips
Monday, March 20, 2017

ANALYSIS

- *Colorado:* Many stories reported on the Sunshine Fire near Boulder, as well as other wildfires around the state. The Sunshine Fire also made the news on NBC, CBS, ABC, the *Washington Post* and *USA Today*. … A National Resiliency Center has been set up to help communities deal with the aftermath of mass shootings… Fremont County received a grant from the Emergency Food and Shelter program…. The Big Thompson Canyon road, damaged in the 2013 floods, is on track to open by Memorial Day… The *Kiowa County Press* has been carrying stories on preparedness and where to get information

about potential disasters… Repairs to a popular local trail damaged in the 2013 floods have been delayed as Boulder prioritizes projects that are eligible for federal funding.

- *Montana:* Flood advisories were in effect in NE Montana, and flooding has occurred in Libby…. A Bozeman TV station noted that the wet weather should delay the start of fire season.
- *North Dakota:* Officials from the Red River Valley made their pitch to the state legislature for continued funding of the Fargo-Moorhead diversion project. A separate project to pipe water from the Missouri to the eastern and central parts of the state has also been proposed. … Four tribal lawsuits trying to stop the Dakota Access pipeline have been combined into one. Oil could begin flowing today. … A web story notes that some homes along the Mouse River may see higher flood insurance rates when a new map goes into effect in a couple years.
- *South Dakota:* An AP story summarizing the lawsuit against the Corps of Engineers for the 2011 Missouri River flooding is included.
- *Utah:* No FEMA-related stories
- *Wyoming:* Cheyenne Mayor Marian Orr told the city council her concerns about whether a FEMA grant would still be available under the new administration given that construction will likely not be done in timely fashion…
- *Other FEMA-related stories:* A *Washington Post* summary of the proposed federal budget includes a summary of the proposals for DHS and the SBA.

CONTENTS

COLORADO:

Officials suspect human cause in Boulder's Sunshine fire (Denver Post – multiple Stories across Colorado regarding the Sunshine fire)

Hundreds evacuated in Colorado as firefighters battle 'Sunshine Fire' (Fox 6 Now)

Crews responding to 3 separate fires in Park County (KOAA News)

Weld County fire burns more than 50 acres (Denver Post)

Colorado group works to help cities cope with Aurora-like mass shootings (Denver Post)

Fremont County Awarded Federal Funds Under The Emergency Food And Shelter National Board Program (Canon City Daily Record)

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Wet western Montana winter may delay fire season (KBZK TV, Bozeman)

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Fargo, Grand Forks officials pitch water projects to lawmakers (Bismarck Tribune)

Judge combines 4 tribal suits over Dakota Access pipeline (Bismarck Tribune)

Residents along Mouse River could see flood insurance spike (MyNDNow.com)

SOUTH DAKOTA:

A look at a trial over Missouri River flooding (AP)

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Mayor Orr unhappy with Civic Center Commons oversight idea (Wyoming Tribune Eagle)

FEMA-RELATED STORIES
You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

40 Years Of Budgets Show Shifting National Priorities (Washington Post)

STORIES

COLORADO:

Officials suspect human cause in Boulder's Sunshine fire (Denver Post – Multiple Stories across Colorado regarding the Sunshine fire)

The fire has scorched 62 acres and is now 50 percent contained, officials said

http://www.denverpost.com/2017/03/19/sunshine-fire-boulder-updates/
by RJ Sangosti, The Denver Post
The Sunshine fire that has been burning west of Boulder since early Sunday morning appears to be human-caused, Boulder County sheriff's officials said late in the day. The fire has scorched 62 acres and is now 50 percent contained, officials said.
Cmdr. Mike Wagner said the general area where the fire started, at Sunshine Canyon Road and Timber Trail, has a network of unofficial "social" trails and is known to have "lots of transient campsites."
The Boulder Office of Emergency Management said firefighters plan to monitor the perimeter of the 62-acre fire and focus on protecting structures overnight. No structures have been damaged. Evacuation orders for residents of 426 homes remain in place.
Crews hope to contain the blaze fully on Monday.
Wagner said residents of the more than 400 homes evacuated early this morning were prohibited from returning at night, with high winds forecast around midnight. Re-evacuating at night is more difficult, he said.
"Things get exponentially more complex in the dark," he said.
Fire officials plan to reassess the evacuations in the morning, with an update expected around 8 a.m., Wagner said.
"They're hoping they can keep control of it overnight and really start mopping up tomorrow," he said.
No homes or structures have been damaged or destroyed, officials said, and there have been no reported injuries.
The contained area is off the "heel" of the fire near Sunshine Canyon Drive and the Centennial Trailhead, officials said.
Onlookers gathered at a roadblock on Fourth Street and Mapleton Avenue just east of Sunshine Canyon and worried the fire would spread into town or that they would be evacuated. But Belle Star, a resident of Boulder for the past 17 years, said she was not so scared while taking shelter at East Boulder Community Center.

“I woke up to the sound of pounding at my front door at 5 a.m., and policemen were meticulous about making sure everybody in my condo was out,” she said, explaining that officials wrapped yellow caution tape around door handles indicating they had spoken with a resident. “I grabbed my sister and my cat and I left. Your priorities change when they want you to act fast.”

Star lives at Fourth and Pearl Streets and said she has experienced other natural disasters before, including the Boulder Flood in 2013 and several fires. She said her main concern was the wind picking up and spreading the fire.

“They might have it out by tonight, but you never know,” she said. “It all depends on the wind and which way it blows.”

Wagner said: “I think it really hinges on what the weather does tonight. … We’re not able to utilize aircraft at night, and evacuations are harder.”

Officials were concerned earlier in the day about gusting winds because the fire was within a mile of downtown.

The Boulder Office of Emergency Management placed more than 1,000 phone calls ordering predawn evacuations. The fire was reported about 2:30 a.m. Sunday. The calls resulted in 426 homes being evacuated.

Six aircraft dropped water and slurry, said Barb Halpin, a spokeswoman for the Boulder Office of Emergency Management. Residents were warned to avoid Wonderland Lake, where water refills were conducted.

Gov. John Hickenlooper authorized support from the Colorado National Guard, including equipment such as two UH-60 Black Hawk helicopters, one CH-47 Chinook helicopter and a refueling truck from the Colorado Army National Guard.

Aircraft from Buckley Air Force Base were assisting.

The OEM placed about 3,700 calls to those on pre-evacuation notice, telling residents to be prepared to leave. About 8 p.m., 836 homes remained on pre-evacuation.

Police were patrolling the area at night to address concerns about possible burglaries to evacuated homes.

Wagner said 250 state and local firefighters and 50 fire vehicles were involved throughout the day Sunday. One firefighter told Wagner that there was no moisture in the soil of the burn area and said it was like June.

The Boulder office’s website experienced high traffic and intermittently dropped offline during the day. Users were asked to refresh often or get information on Twitter at @BoulderOEM or on Facebook.

Conditions are ripe for fire throughout the Front Range, said Bernie Meier, meteorologist with the National Weather Service in Boulder. Boulder had a record 80-degree high Saturday, breaking the record of 77 for March 18 set in 1907.

Winds were light, about 5 mph at 8:30 a.m., but by 11 a.m., the weather service was recording gusts of 40 mph, with sustained winds of 5 to 10 mph pushing the flames in the wooded area a couple of miles west of Pearl Street.

Humidty was low, at 14 percent.

The fire was first reported on the mountainside near Sunshine Canyon and Timber Lane when someone noticed “glowing on the mountain, and we sent deputies,” said Gabi Boerkircher, a spokeswoman with the Boulder Office of Emergency Management.

Boulder County Public Health advises people to avoid outdoor activities if they can see or smell smoke.

Some residents in the pre-evacuation zone in the Highland neighborhood were watching the fire from Eben G. Fine Park and waiting to see if the wind picked up before packing.
Ben Egner said that although he hadn't packed anything yet, he has a list in his head that includes musical instruments, books, his hard drive and his dog, Petunia. He said he found out about the fire after getting a text from a neighbor early this morning.
For another neighbor, Beth Prehn, it was a phone call from a friend at 5:30 a.m. that alerted her. At about 7 a.m., she took a picture of flames lighting up Sunshine Canyon.
"That was scary," she said.
Now, looking at smoke instead of flames, "I feel a lot better," she said.
Officials closed Boulder Canyon Drive to all traffic.
The general evacuation perimeter is Poorman Road to the west, Fourth Street in the city of Boulder to the east, Boulder Canyon Drive to the south and Sunshine Canyon Drive to the north, according to the sheriff's office. Traffic is being rerouted on a portion of Boulder Canyon Drive at Sixth Avenue, down Arapahoe, and returning to Boulder Canyon Drive, the office of emergency management said.
Within the city of Boulder, the area of Fourth Street east to Broadway, and Mapleton Avenue to Canyon Boulevard are on pre-evacuation notice.
A Public Call Center line is open for non-emergency calls: 303-413-7730.
Residents ordered to evacuate can use the East Boulder Community Center, 5660 Sioux Drive. Large animals can be evacuated to the Boulder County Fairgrounds. Small animals can be taken to the East Boulder Community Center, but residents are asked to bring crates if possible.



Sunshine fire timelapse from overlook off Boulder turnpike, near canyon
Denver Post
Multiple fire agencies responded, including the Boulder Rural Fire Protection District, the Boulder Fire Department, the Greeley Fire Department and the Sheriff's Fire Management Program. The Denver Fire Department has dispatched five engines and 21 workers.

Seth Frankel, who was warned that he and his family may need to evacuate, said he had packed up "generations of things" that can't be replaced and was ready to go if the air quality got worse. He said smoke was pouring toward neighborhoods and many dead trees were combusting and sending black smoke into the air less than a half-mile from his home. But he and his wife, a Boulder native, and three daughters have dealt with fires and floods before.

"It's always alarming and always on your mind, but it's not an uncommon sensation around here," said Frankel, who has lived in Boulder for 20 years.

Frankel got word of the fire early Sunday from a neighbor who received a warning call, and he was outside with neighbors watching the flames and smoke. But he let his daughters, 9, 11 and 13, sleep in.

"It's still alarming, but there's no panic," Frankel said. "We will be long since gone when parents are no longer smiling."

The Associated Press contributed to this report.

Hundreds evacuated in Colorado as firefighters battle 'Sunshine Fire' (Fox 6 Now)

http://fox6now.com/2017/03/20/hundreds-evacuated-in-colorado-as-firefighters-battle-sunshine-fire/

Posted 6:07 am, March 20, 2017, by CNN Wire Service, Updated at 07:31AM, March 20, 2017

Firefighters worked into the night to contain a wildfire in the mountains west of Boulder, Colorado, that forced evacuations from hundreds of homes Sunday.

Against the backdrop of smoke billowing into the sky, firefighters managed to contain 50% of the relatively small but potentially destructive blaze by late Sunday evening.

With flames sizzling at the edge of Sunshine Canyon, crews planned to keep a close watch on the perimeter of the 62-acre fire overnight, the Boulder Office of Emergency Management (OEM) said.

"There was minimal spread within the footprint," Cmdr. Mike Wagner of the Boulder County Sheriff's Office said Sunday.

A total of 426 homes were evacuated before dawn Sunday, according to OEM officials. The mandatory evacuation remained in place into Monday morning.

"The (weather) forecast is a little concerning," Wagner said.

Unseasonable warm temperatures, breezy conditions and low humidity will increase the danger of the so-called Sunshine Fire going into Monday, the National Weather Service warns.

More than 250 personnel from across the Denver metropolitan worked to put out hotspots and flare-ups after the OEM received a 911 call about the fire shortly after midnight Sunday, officials said.

There have been no reports of property loss, structural damage or injuries, OEM officials said.

Authorities are investigating the cause of the fire.

CNN's Sheena Jones and Tina Burnside contributed to this report.

Crews responding to 3 separate fires in Park County (KOAA News)

http://www.koaa.com/story/34949791/crews-responding-to-3-separate-fires-in-park-county
Posted: Mar 19, 2017 6:12 PM MDT Sunday, March 19, 2017 8:12 PM EDT

Crews are responding to three separate fires in Park County, according to Park County officials on Twitter.

A 100+ acre fire is burning on a gun range west of Indian Mountain subdivision. A level one evacuation is in place for residents of the subdivision.

Another fire is burning near the McCurdy Trail in the Lost Park Wilderness Area.

Highway 9 is closed near Hartsel because of a hay truck fire.

This is a developing story and will be updated as more information becomes available.

Weld County fire burns more than 50 acres (Denver Post)

http://www.denverpost.com/2017/03/19/weld-county-fire-burns-more-than-50-acres/
By Hayley Sanchez | hsanchez@denverpost.com | The Denver Post
PUBLISHED: March 19, 2017 at 9:38 pm | UPDATED: March 19, 2017 at 11:43 pm
A fire was started Sunday evening between Lochbuie and Brighton from somebody shooting a gun.
The fire is estimated to have burned more than 50 acres in Weld County but is under control, said Natalie Ridderbos, Brighton Fire Rescue's spokeswoman.
The fire started around 6 p.m. at County Road 4 and Freestone Street. Fire crews were still working on hot spots at 7:30 p.m., but windy and dry conditions contributed to the fire's rapid spread.
No structures were threatened and no injuries have been reported, Ridderbos said. No suspects are currently under investigation.

Colorado group works to help cities cope with Aurora-like mass shootings (Denver Post)

The National Resiliency Center has compiled a blueprint of best practices to help manage the chaos that follows a mass shooting or disaster

http://www.denverpost.com/2017/03/20/national-resiliency-center-helps-cities-mass-shootings/
By Kirk Mitchell | kmitchell@denverpost.com | The Denver Post
March 20, 2017 at 12:01 am
In the 13 years between the Columbine High School massacre and the Aurora theater attack, mass shootings became so common in the U.S. that they were no longer unthinkable.
In 2016, there were 354 shootings in which four or more people were murdered, plus 49 school shootings and stabbings, said John Gay, chairman of the Aurora Key Community Response Team, who led the effort to create the National Resiliency Center.
When a crisis happens, from a mass shooting to natural disaster, most cities are unprepared and overwhelmed, Gay said. For example, when 12 people were killed and more than 70 injured at

an Aurora movie theater in 2012, rescue efforts were hampered by traffic jams created as emergency responders rushed to the scene while moviegoers fled the theater multiplex.

Two days after the shooting, the idea for creating the National Resiliency Center was planted when Gay met with then-President Barack Obama and Gov. John Hickenlooper at the University of Colorado Hospital, where many of the injured were treated.

"(Obama and Hickenlooper) said we need to create something people can go to for information," Gay said.

So Gay worked with several emergency response experts to create the National Resiliency Center, a website that has compiled a blueprint of best practices to help manage the chaos.

The site provides action plans for incident commanders and other local, state and federal officials with detailed lists of recommendations for handling both the initial incident and its aftermath. Those recommendations range from setting up incident command centers to handling unrelenting media inquiries and managing government grants and charitable donations.

"The goal is to reduce the chaos and the NRC protocols address issues rarely found in community, state and federal disaster plans," the website says. "Following the NRC advice can help reduce crisis chaos, increase first responder efficiency and effectiveness and aid/assist the emotional recovery of victims, victim's families, first responders and the community."

Gay, a former aide to numerous presidents including Richard Nixon and Gerald Ford and a member of the Overseas Security Advisory Council, said unfortunately a resource like the NRC is crucial.

"These atrocities are not going to go away. This is something that I think America needs," Gay said. "It's the good that came from the bad."

People from around the U.S. and the world have clicked on the website, often in the aftermath of mass shootings, said Terrance Quinlan, a member of NRC's board of directors.

"(People) from hot spots for terrorism have been hitting our website including from United Kingdom, Germany, Italy, Canada and Austria," said Quinlan, an expert in the financial effects of mass shootings.

In the fall of 2014, NRC officials met numerous times with security officers from the Pepsi Center and Town Center at Aurora about installing Israeli-made "smart (light) poles," equipped with infrared and radiation-detecting cameras.

"On a professional level it's a great resource to have," Tim Christiansan, security supervisor at the Pepsi Center, said of the resiliency center.

The NRC was purposely created independently of government control and supervision so it's designed to be an instant resource if needed, said Joe Kahoe, a retired Air Force colonel and co-founder of NRC.

"We didn't want to be encumbered by government bureaucracy," he said.

After the theater shooting, federal guidelines kept Aurora disaster responders waiting for two weeks to get permission to see the database of 19,000 after-action plans that the Federal Emergency Management Agency has compiled from communities around the country.

"Who goes through 19,000 plans of response? Nobody has the time to do that," Kahoe said.

NRC volunteers have sifted through many of FEMA's records and identified the policies and tactics deemed the most beneficial, he said. "We've made it a collection of pearls that are worth diving for," Kahoe said.

Gay has mostly used his own money to create NRC, but more financial support is needed to reach its goals and potential, he said.

NRC needs a permanent researcher, an executive director to field questions from around the country and seek federal and private grants to keep it running full-time. At least $350,000 a year is needed to run the program properly, Kahoe said.

"We've got to create a funding stream," Kahoe said. "There is so much tragedy out there."

Although the NRC is set up to help with the initial disaster response, its recommendations also are designed to help communities in the aftermath.

Often, government disaster grants and charitable donations dry up before officials realize the full scope of community victimization.

That's why the NRC says it's critical for communities to also oversee charitable giving — both to prevent fraud and ensure donations are available to help over the long term.

When a mass shooting happens, those affected include not only the victims and their families, but also first-responders and community residents, Gay said.

All of them can experience debilitating psychological trauma, he said. Many victims with only tangential ties can't afford to pay $100 per hour or more for therapy, Gay said. Their needs are unmet and they are often forgotten, he said.

The NRC recommends designating a committee to handle charitable funds and suggests limiting them to just two — one for victims and their families and another for victims and victim services. And it recommends not distributing all the donations immediately because victims and their families often need support for years.

Fremont County Awarded Federal Funds Under The Emergency Food And Shelter National Board Program (Canon City Daily Record)

Canon City (CO) Daily Record, March 17, 2017

Fremont County has been awarded federal funds under the Emergency Food and Shelter National Board Program

Fremont County has been chosen to receive $14,827 to supplement emergency food and shelter programs in the county.

The selection was made by a national board that is chaired by the U.S. Department of Homeland Security's Federal Emergency Management Agency and consists of representatives from American Red Cross; Catholic Charities, USA; National Council of the Churches of Christ in the USA; The Jewish Federations of North America, The Salvation Army; and United Way Worldwide. The local board was charged to distribute funds appropriated by Congress to help expand the capacity of food and shelter programs in high-need areas around the country.

A local board made up of a Catholic organization; Ministerial Association; Council of Government; a Jewish organization; Salvation Army; and Loaves and Fishes Ministries will determine how the funds awarded to Fremont County are to be distributed among the emergency food and shelter programs run by local service agencies in the area. The local board is responsible for recommending agencies to receive these funds and any additional funds available under this phase of the program.

Under the terms of the grant from the national board, local agencies chosen to receive funds must: 1) be private voluntary non-profits or units of government, 2) be eligible to receive federal funds, 3) have an accounting system, 4) practice nondiscrimination, 5) have demonstrated the capability to deliver emergency food and/or shelter programs, and 6) if they are a private voluntary organization, they must have a voluntary board. Qualifying agencies are urged to apply.

Fremont County has distributed Emergency Food and Shelter funds previously with The Salvation Army, Loaves and Fishes Ministries, and the Cañon City Pregnancy Center.

Public or private voluntary agencies interested in applying for Emergency Food and Shelter Program funds must contact Deidra Clement at 241 Justice Center Road or call 719-275-0593 for an application. The deadline for applications to be received is April 7.

Big Thompson Canyon Road On Track To Reopen By Memorial Day (Associated Press)

March 18, 2017

FORT COLLINS, Colo. (AP) — Work to rebuild the highway through Big Thompson Canyon between Loveland and Estes Park is on schedule and highway officials expect to reopen the road by Memorial Day as planned.

U.S. Highway 34 has been closed since last fall while crews make long-term repairs.

Heavy flooding washed out the route in 2013. The road reopened but needed to be rebuilt.

The Fort Collins Coloradoan reports (http://noconow.co/2nPN2oP) road work will continue this summer and will affect tourist traffic on the winding canyon road.

Information from: Fort Collins Coloradoan, http://www.coloradoan.com

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Flooding – Know the Risks (Kiowa County Press)

http://kiowacountypress.net/content/flooding-%E2%80%93-know-risks

Saturday, March 18, 2017

Note: March 12 through 18 is Flood and Wildfire Safety Week in Colorado. This is the third article in a series on safety and preparedness. See Monday's article here.

Today's topic during this Flood Safety and Wildfire Awareness Week is flooding which develops in the time frame of longer than 6 hours to several days.

There have been some notable floods across the Centennial State:

In early June of 1921, a flood along the Arkansas River devastated the City of Pueblo. Scores of drownings occurred.

Around Memorial Day 1935 catastrophic flooding occurred on the Palmer Divide and the Colorado Springs area, causing millions of dollars of damage, and drowning at least 18 people.

The mid-June 1965 flood was widespread across eastern Colorado, taking several lives, and causing over 500 million dollars of damage.

During late April and early May of 1999, after up to 14 inches of rain fell, a major flood occurred across southeast Colorado from Colorado Springs to La Junta.

In 2013, the historic rains and floods in September caused over 3 billion dollars of damage, and took 9 lives.

In 2014, during May, multiple days of heavy rain and snow caused flooding across many areas of eastern Colorado.

Floods in Colorado can result from rapid snow melt, ice jams, a combination of snow melt and heavy rain, or just heavy rain.

National Weather Service forecast offices in Colorado closely collaborate with regional River Forecast Centers that monitor the Colorado River, South Platte River, Arkansas River, and Rio Grande to come to a consensus on the likelihood of flooding along rivers and large creeks.

The National Weather Service will discuss flood potential in hydrologic outlooks, daily hazardous weather outlooks, and in graphical weather stories on National Weather Service forecast office web sites.

Hydrologic statements may be issued for high flows that are within the banks of a river or large creek.

When flooding is possible on a river or large creek, a Flood Watch will be issued, meaning flooding is possible within the designated watch area.

When flooding is likely or occurring on a river or large creek, a Flood Warning will be issued, meaning flooding is expected or has been reported at designated river forecast points.

Flood Advisories may be issued for minor flooding on rivers and creeks.

An Areal Flood Warning may also be issued for flooding on a river or large creek in areas away from the designated river forecast points.

You can easily monitor potential flooding along rivers in Colorado and large creeks using the Advanced Hydrologic Prediction Service monitoring system. Information on this monitoring system can be obtained from this web site:

http://water.weather.gov/ahps

This monitoring system can be accessed on Colorado National Weather Service forecast office web sites by clicking Rivers and Lakes.

At each river and large creek gauge you can easily look at current and forecast water levels, flood categories, historic crests, and flood impacts. Probabilities of exceedance of certain water levels by week or over the long term are also available.

In general, there will be some time to prepare for river and large creek flooding, and emergency management in your area has plans in place to address flooding issues. Know these plans and how you should act accordingly when Flood Watches and Flood Warnings are in effect.

For more information on flood safety go to:

http://www.floodsafety.noaa.gov

The topic for tomorrow is life-threatening flooding which occurs very quickly, flash floods.

Colorado Flood Safety and Wildfire Awareness Week continues through this Saturday.

Wildfire in Colorado: Where Do You Get Information? (Kiowa County Press)

http://kiowacountypress.net/content/wildfire-colorado-where-do-you-get-information
Saturday, March 18, 2017
Note: March 12 through 18 is Flood and Wildfire Safety Week in Colorado. This is the fifth article in a series on safety and preparedness. See Wednesday's article here

A mixture of large and small wildfires occurred across Colorado in 2016. These fires were due to a mixture of dry conditions, combined with gusty, warm winds and, sometimes, careless fire prevention efforts. There were instances when residents had to be evacuated as a large wildfire moved toward larger communities. Would you know what to do to protect yourself and your loved ones in this situation? In addition, if you live in an area that is susceptible to wildfires, how can you prepare yourself and your home?

To assist in your preparation for fire, the National Weather Service provides a variety of fire weather forecast products. Twice a day in Colorado, fire weather planning forecasts are made from each weather service office serving the state. A Fire Weather Watch may be issued if in the next 12 to 48 hours the forecast includes gusty winds of 25 mph or greater, relative humidities of less than 15 percent for at least three hours, dry lightning, or a combination of weather and fuel conditions that may make large wildfires possible. A Red Flag Warning will be issued if these same critical fire conditions are forecast within the next 24 hours.

Both Fire Weather Watches and Red Flag Warnings are issued in coordination with land management agencies. The fire weather spot program supports land management agencies for both prescribed burns and for wildfires. A fire weather spot forecast is a detailed forecast for a prescribed burn or an individual fire. For national type 2 or type 1 fires, the National Weather Service will detail an IMET (incident meteorologist), to a fire team to provide onsite weather support and detailed fire forecasts.

If you live in the wildland-urban interface there are a number of actions you can take to reduce your personal fire threat including reducing vegetation near the home and putting a fire-resistant roof on your home.

More information is available from your National Weather Service at:

http://www.nws.noaa.gov/om/fire

or from your Department of Homeland Security at:

http://www.ready.gov/wildfires.

When a wildfire occurs, there may be years of increased flood threat on the burn scar, as a healthy forest can handle an inch to inch and a half of rain with no flood risk. Once the litter and vegetation is removed by a wildfire, as little as a half inch of rain in a short period of time can cause serious, and possibly life threatening flooding.

Colorado Flood Safety and Wildfire Awareness Week continues through this Saturday.

Reopening of flood-damaged Boulder Falls remains slippery goal (Daily Camera)

Earlier projections on repairs proved overly optimistic

http://www.dailycamera.com/news/boulder/ci_30864042/reopening-flood-damaged-boulder-falls-remains-slippery-goal

By Charlie Brennan

Staff Writer

POSTED: 03/19/2017 09:00:00 AM MDT | UPDATED: ABOUT 10 HOURS AGO

It took exactly no time at all on a midweek visit to Boulder Falls to encounter two hikers emerging from the trail in violation of the ongoing post-flood closures there.

One of the two, a University of Colorado junior, said he and his brother had been climbing in the Lower Dream Canyon area, which can also be accessed by way of Sugarloaf Road and Upper Dream Canyon, but can be reached much more quickly by just breezing by the posted Boulder Falls closures. He said he and his brother are hardly alone in doing so.

"Every time I come up here, there's more and more people up here," said the CU student, who declined to give his name. "If I'm climbing here, I just figure I'm going to go in, and if I get hit with a $50 fine, I just figure that's the way it goes."

In terms of fixing the falls trail, it's not going very quickly.

Boulder open space staff last April expressed hopes that the popular Boulder Trail, heavily damaged by the September 2013 flood, could be open by the end of 2016.

In September, reassessment of the situation produced a projection that the reopening could come some time in 2017.

Now, however, comes the news that while advancing the rehab work at the destination 11 miles west of Boulder is very much on the front burner, there are no promises on when Boulder Falls will reopen — beyond the vow that, at some point, that day will come.

"I think it's premature to put a timeline on it," said Phillip Yates, spokesman for Boulder's Open Space and Mountain Parks department. "But as I said before, we're trying to expedite the process. We understand the impact on visitors, and we're working to complete repairs, to minimize extended closures into the future."

Yates said that in 2016, OSMP crews completed "significant" work on Boulder Falls. It included repairing the "landing platform" from which to view the falls, along with rock work in the area.

In normal times, the falls are closed anyway from Nov. 1 to May 1 to conduct scaling work in the area to reduce any danger posed by loose rocks.

As that work has been ongoing, Yates said, "They recognized the need for additional repair work, and that includes substantial work to gabions," which help minimize the incidents of falling rocks. Getting that done, Yates said, is going to take some time.

"This repair work will unfortunately lead to extended closures in the area," Yates said. "And we understand the draw Boulder Falls has for visitors, and we recognize that the area has seen long-term closures, which has decreased visitor experiences for many in our community.

"We recognize its importance, and are working diligently to reopen, while we also complete many other flood-related projects."

The same rugged environment that makes the nearby Dream Canyon environment attractive to climbers contributes to Boulder Falls being a challenge and potentially hazardous for repair crews.

"So as part of the design process, we're going to have to analyze the geology of the area and the potential repair methods. That is going to take some time to complete," Yates said. "It's also important to note that traditional trail building machines can't access this rugged area. And construction feasibility will determine much of the design."

Boulder officials elected to prioritize flood recovery projects that are reimbursable with federal dollars — which Boulder Falls is not.

There are numerous other competing flood recovery projects that remain, some of which were also candidates for federal dollars.

They include the NCAR-Bear Canyon Trail and a Mesa Trail section south of the National Center for Atmospheric Research, which should be completed by late June, repairing flood damage and enabling firefighting and search-and-rescue vehicles to regain access to difficult terrain.

Other remaining projects include the Chautauqua Trail and repairs to the Mesa and Shadow Canyon South trails near Eldorado Springs — likely to begin in late April — as well as repairs along the South Boulder Creek West, Lower Big Bluestem and the North and South Shanahan Fork trails.

As for those who might shrug off the fine incurred for forging on past the Boulder Falls closure signs, the penalty could be well north of $50.

Yates said the penalty imposed for violating the closure order at the falls, which would be determined by a judge, could be up to $1,000 and/or spell 90 days in jail.

MONTANA:

Flood advisories in effect in northeastern Montana (AP; picked up by several outlets)

http://www.greatfallstribune.com/story/news/local/2017/03/18/flood-advisories-effect-northeastern-montana/99360046/
Associated Press 4:25 p.m. MT March 18, 2017
POPLAR, Mont. (AP) — Flood warnings are in effect in northeastern Montana as winter snow pack continues to melt.
The National Weather Service says flooding occurred along the West and Middle Forks of the Poplar River on Friday and that water will work its way downstream toward Poplar over the weekend.
It says melting snow in the Little and Big Snowy Mountains south of Lewiston will also raise the water level in Flatwillow Creek over the weekend.
Overnight temperatures will still be cold enough to freeze water on roadways so drivers are urged to watch out for possible slick spots.

Flooding in Libby (ABC Fox Montana)

http://www.abcfoxmontana.com/story/34943003/flooding-in-libby

Posted: Mar 17, 2017 7:29 PM MDT
Friday, March 17, 2017 9:29 PM EDT
By Maren Siu

LIBBY - Education Way in Libby was closed Friday morning due to flooding.
Lincoln County Emergency Manager Lisa Oedewaldt tells ABCFOX that this type of flooding is not unusual for this time of the year. Usually rain and snow melt creates the floods.

There is minor damage to some homes in Libby, but city and county crews are working fast to put the water back into the canals.

Wet western Montana winter may delay fire season (KBZK TV, Bozeman)

http://www.kbzk.com/story/34945262/wet-western-montana-winter-may-delay-fire-season

Posted: Mar 18, 2017 4:10 PM MDT
By MTN News

MISSOULA - It has been a wet year for western Montana with the National Weather Service announcing that Missoula has experienced its wettest year since 1996.
The Missoula Valley has seen 9.36" of precipitation since the beginning of the water year in October about double the 4" to 5" sees at this time of year.

"This is all very good. Even if we do have a dry early summer, the plants are going to have a lot of moisture built up so it's definitely a good start to the fire season," explained National Weather Service meteorologist Ryan Leach.

While the wet winter will help keep fires down the excess water can also pose a threat. As the snow in higher elevations melt and runs into rivers there is always the possibility of flooding.

One are the National Weather Service is closely watching for flooding is along the Montana/Idaho border. Some flooding has already been seen in the Bitterroot Valley as well as north of Missoula.

NORTH DAKOTA:

Fargo, Grand Forks officials pitch water projects to lawmakers (Bismarck Tribune)

John Hageman Forum News Service
Mar 16, 2017

Elected officials from Red River Valley cities and across North Dakota made their pitch for water project funding during a state legislative budget hearing Thursday.

Amid the waterfall of testimony was a presentation from Fargo City Commissioner Tony Grindberg, who advocated for continued state support of the massive flood diversion project in Fargo-Moorhead. The estimated $2.2 billion project is expected to receive about a fourth of its funding — $570 million — from the state of North Dakota.

Thursday's Senate Appropriations Committee hearing was on the State Water Commission budget, which includes almost $300 million for new projects in the coming two-year funding cycle. Fargo officials are seeking $66.5 million from the state in the 2017-19 biennium, and Grindberg said he was confident funding would come through.

Construction on the Fargo flood project has started, although it has attracted a lawsuit from a group representing upstream property owners. Last month, a federal judge agreed to bring the U.S. Army Corps of Engineers back into the suit.

"The Corps is committed to this project," Col. Sam Calkins of the corps told legislators Thursday. "We're confident we can continue construction and that we'll eventually or ultimately prevail in that litigation."

Like Grindberg, Grand Forks City Council member Ken Vein was optimistic Thursday that the remaining state funds for the city's new water treatment plant will be in place. That project has already started construction.

The state has provided $35 million in the last two funding cycles for the project, and last session lawmakers passed a bill stating their intent to provide the final $30 million in the 2017-19 biennium.

"I feel very confident either way we'll get it," Vein said.

Vein, who is also chairman of the Garrison Diversion Conservancy District, presented lawmakers with plans for a pipeline from the Missouri River to supplement water supplies in central and eastern North Dakota, a project known as the Red River Water Supply Project. He asked for $30 million to keep it on track.

Conceptual design was completed last year, and preliminary design is now in progress, Vein said.

"With continued growth and industrial development, the Red River Valley Water Supply Project will mitigate against drought conditions that could be devastating, foster economic development by meeting municipal, rural and industrial water demands and promote environmental sustainability," Vein said in prepared remarks.

The Senate Appropriations Committee didn't take any immediate action on the budget bill Thursday.

Judge combines 4 tribal suits over Dakota Access pipeline (Bismarck Tribune)

By BLAKE NICHOLSON Associated Press (Bismarck Tribune)
March 17, 2017

BISMARCK, N.D. (AP) — A judge has combined lawsuits filed by four Sioux tribes over the Dakota Access pipeline, streamlining the drawn-out legal battle over the $3.8 billion project to move North Dakota oil to a distribution point in Illinois.

Meanwhile, a federal appeals court could decide this weekend on a tribal request to stop oil from flowing through the pipeline next week.

The neighboring Standing Rock and Cheyenne River tribes teamed up last summer in the main lawsuit against Texas-based pipeline developer Energy Transfer Partners and the U.S. Army Corps of Engineers, the federal agency that granted pipeline permits at more than 200 water crossings, including the Missouri River. The Yankton Sioux also sued last summer, and the Oglala Sioux filed its own lawsuit last month.

The four Dakotas tribes make essentially the same claims: The pipeline threatens cultural sites and the Missouri, from which they get water for drinking and religious practices.

"Consolidating the cases would conserve judicial resources, allow the parties to save time and expense, and enable the court and parties to schedule matters more efficiently," Corps attorneys said in asking U.S. District Judge James Boasberg in Washington, D.C., to lump the cases together.

None of the tribes or ETP objected to the move, and Boasberg granted the request Thursday.

The legal battle lingers even as ETP prepares to launch pipeline operations. Crews are wrapping up final pipe work under Lake Oahe, a Missouri River reservoir in North Dakota, and the company has said oil could flow as early as Monday.

Cheyenne River attorney Nicole Ducheneaux asked the U.S. Court of Appeals for the District of Columbia Circuit to issue by Monday an "emergency" prohibition of any oil flow, until it resolves an appeal of Boasberg's recent decision to not stop final construction. Boasberg also rejected a separate tribal request to stop oil from flowing.

The tribes' appeal rests on the religion argument. Boasberg has said he doesn't think the tribes have a strong case on appeal. He also said ETP would be "substantially harmed" by a delay in pipeline operations.

Both the company and Corps filed court documents Friday opposing the tribal request. The appeals court will make a decision sometime after Friday evening, the deadline it set for attorneys to submit written arguments.

Residents along Mouse River could see flood insurance spike

(MyNDNow.com)
By: Cynthia Hill MyNDNow.com
Posted: Mar 18, 2017 01:20 AM CDT

A re-working of FEMA's flood risk maps could take effect in about two years. FEMA is re-working its maps that determine what properties are within the 100-year flood plane.

Using Minot as an example, the dike system provides protection to about 5-thousand CFS of river flow, but FEMA is likely to say the new 100-year flood level is closer to 10-thousand CFS.

That will move thousands of homes that qualified for the lowest flood insurance rates into a much higher rate class. City Engineer Lance Meyer says the city has been working with FEMA to reduce the impact of the changes as little as possible.

"We've been doing everything we can to help push the process out a little bit to give us more time to construct flood control but also to make sure whatever maps do get developed have the best data available," says Lance Meyer, Minot City Engineer.

The new flood maps are not expected to be in effect for about two years. Meyer says after they take effect, properties protected as the city improves its levee and flood-wall system will again qualify for the lower insurance rates.

SOUTH DAKOTA:

A look at a trial over Missouri River flooding (AP)

Mar 15, 2017 4:13 PM MDT
By The Associated Press (Posted by NEWSCENTER1)

KANSAS CITY, Mo. (AP) - A look at the civil trial over the U.S. Army Corps' stewardship of the Missouri River and landowner claims that the agency's decisions have contributed to devastating floods.

WHAT'S ALLEGED: Several hundred landowners named in the class-action lawsuit filed in 2014 allege in the U.S. Court of Federal Claims that the Army Corps has deemphasized flood control along the Missouri and put more emphasis on habitat restoration, leading to more flooding. The plaintiffs also insist the Corps unconstitutionally deprived them of their land, essentially taking it without compensation.

THE CORPS' STANCE: The federal government argues in court filings that authorities never promised to stop all flooding along the 2,341-mile-long Missouri, and that the Corps' providing habitat for endangered species didn't exacerbate the inundation six years ago. Officials have said the Corps balances flood control and an array of other potential uses of the river, including shipping, recreation and hydropower.

THE TRIAL: The trial began March 6 in Kansas City, Missouri, and will shift in late April to Washington, D.C., with no decision expected at least until summer, at the earliest.

THE JUDGE: The presiding judge - Nancy Firestone, a former federal prosecutor appointed to the claims court in 1998 - served in the late 1990s as a deputy assistant attorney general in the U.S. Department of Justice's environment and natural resources division after holding top positions in the Environmental Protection Agency, including as a judge of its environmental appeals board. She has Missouri connections, having gotten a bachelor's degree from St. Louis' Washington University and a law degree from the University of Missouri at Kansas City.

UTAH:

No FEMA-related stories

WYOMING:

Mayor Orr unhappy with Civic Center Commons oversight idea (Wyoming Tribune Eagle)

- By James Chilton, Wyoming Tribune Eagle
  Mar 19, 2017



Cheyenne's Mayor Marian Orr speaks during a press conference Nov. 29, 2016, at the Cheyenne Public Safety Center. Blaine McCartney/Wyoming Tribune Eagle

CHEYENNE – Mayor Marian Orr has registered her displeasure about the City Council's introduction last week of an ordinance to create a management team to oversee construction of the city's Civic Center Commons project.

Civic Center Commons, which is set to replace a parking lot just west of the Cheyenne Municipal Building at 2101 O'Neil Ave., has long been lauded as a "crown jewel" of the ongoing West Edge initiative, which seeks to provide infrastructure improvements and quality-of-life amenities to the western portion of downtown Cheyenne.

Of the three West Edge projects designed to date – including Pumphouse Park and the 26th Street stormwater interceptor – Civic Center Commons is the most ambitious. In addition to providing a large space to contain stormwater during a major rain event, the commons also includes many park features conducive to live music events, food truck rallies and other such events.

Design for the project is underway, and funding has been secured through a 2012 sixth-penny sales tax initiative, and grants from the Federal Emergency Management Agency and the State Loan and Investment Board, as well as support from the Wyoming Business Council.

But several council members have been dissatisfied with the pace of work on the project, particularly since December, when the council passed a resolution seeking its "expedient completion." Thus, on March 13, council vice president Mark Rinne introduced an ordinance to create a management team to oversee the project and provide regular reports to the council about how things are proceeding – or why they aren't.

But Mayor Orr has taken umbrage at the ordinance, and made as much clear March 15 when she sent an email to the rest of the City Council. In it, Orr says the city has already made substantial progress on West Edge projects in the weeks since she took office, and she questioned Rinne's decision to craft his ordinance without first expressing his concerns to her.

"Had Dr. Rinne come to me with his concerns and asked for such a team and communication, I certainly would have listened and worked with him, as I have with all of you, so far to date," Orr wrote. "To communicate to me through ordinance is not only inappropriate, it only serves to appear as political grandstanding, and does nothing to foster a working relationship between the mayor and council, but rather the adverse."

Attempts to reach Rinne for a response Friday and Saturday were unsuccessful. But in an interview Friday, Orr sought to elaborate her problems with the ordinance, as well as her concerns with Civic Center Commons.

"I've had several discussions with most of the council members regarding Civic Center Commons, keeping them aware of the timeline we're working with," Orr said. "I've also let them know there was a delay in getting an independent engineering review; it turned out to be more difficult to find an entity that didn't have a previous relationship with the engineering firms in the community."

Orr said her biggest concern with the project is that its most talked-up features – an amphitheater, park space and public open space – appear to have taken precedence over its stormwater drainage aspects, which are actually what has driven much of the grant funding secured to date.

"It's not that Engineering or my office are opposed to a park, but when you have discussions about it, very seldom does anybody talk about drainage," Orr said. "And when it comes to using FEMA funds, we need to be good stewards; we need to make sure that we do right by FEMA. One of the concerns that I raised in a meeting in looking at our grant application, we were specifically asked if there were any known contaminants in the area, and we replied 'no.' But anyone that knows this area knows full well there are contaminants, so at the very least we should have answered 'unknown.'"

Orr acknowledged FEMA has already reviewed the project twice and approved it both times based on its proposed stormwater flood controls. But she wonders whether that opinion may change now that a new administration is overseeing FEMA in Washington, D.C.

Orr noted the $3 million grant approved by FEMA for the project will expire Sept. 30, and she has doubts as to whether the city could realistically have construction done by then. More likely, she believes the city will have to request a one-year extension of the grant – its second so far – by July 1.

"I am concerned with a very big unknown within the FEMA administration, with it being a new administration, what the likelihood of (approving) that request for an extension would be," Orr said. "There's no guarantee they will grant the extension this time, and should we proceed with the project without knowing full well we do, indeed, have that extension? Where does that leave us with funding the project without FEMA funds?"

All that said, Orr is still only one voice when it comes to City Council ordinances, and with six co-sponsors out of nine council members, she may be outnumbered when it comes to whether the oversight group happens.

FEMA-RELATED STORIES:

40 Years Of Budgets Show Shifting National Priorities (Washington Post)

By Gabriel Florit, Kim Soffen, Aaron Steckelberg And Tim Meko

March 17, 2017

In his first budget proposal, released Thursday, President Trump proposed drastic cuts to many of the nation's agencies and programs to offset nearly $60 billion in additional spending on defense, a down payment on the border wall and funding for school choice programs, among other things. If enacted, the proposal would be one of the most dramatic redistributions of funds since Reagan's military build-up during the Cold War in the early 1980s.

Discretionary spending limits, the only portion of the budget addressed by this proposal, are set by congressional budget resolutions. Mandatory spending, by contrast, is set by other laws and primarily includes interest on the debt and entitlement programs such as Social Security and Medicare. Here, the funding level is often determined by the size of the benefit and the eligible population.

Infrastructure

Proposed 2018 budget: $114.4B

The Agriculture Department, Interior Department, Energy Department, Transportation Department and the Department of Housing and Urban Development control much of the nation's vast infrastructure.

These departments, especially HUD, lost significant funding as Reagan took office. His promise to shrink the size of the government included significant reductions in federal housing funds.

Much of the other fluctuation in these budgets has been driven by political and financial turmoil. In the late 1970s, increased oil production in response to the energy crisis caused a spike in the Energy Department's budget. A few years later, in the early 1980s, the "farm crisis" — a period of falling crop prices and lower incomes for farmers — led to large payouts from the Agriculture Department.

More recently, as part of the stimulus following the 2008 financial crisis, many of these departments, most notably Transportation, received large budget increases. Note that though the 2009 budget was set during the Bush administration, the stimulus itself was negotiated and passed by President Obama.

With Trump's 2018 proposal, all of these departments are looking at cuts of between 12 and 21 percent. Much of this money would be taken out of research and climate-change-related programs.

The economy

Proposed 2018 budget: $19B

The Treasury Department and Commerce Department are concerned with the government's finances and the country's economic growth, respectively. Their funding levels are largely driven by the state of the economy and government budgets.

Treasury saw a large bump in spending in the mid 1970s because the department loaned more than $1.3 billion (nearly $6 billion in today's dollars) to New York City. The city government at the time was facing bankruptcy.

The departments' funding similarly responds to nationwide financial crises; after the 2008 housing bubble burst, the Commerce Department got increased funding to respond. Financial agencies outside these departments, such as the FDIC, which insures Americans' bank deposits, also saw spending spikes during that period (though that money is funded by insurance premiums, not Congress).

With Trump's 2018 proposal, Treasury would see a modest 4 percent cut, largely aimed at the IRS's funding. Commerce would see a steeper 16 percent decrease, cutting from many programs that aim to help communities struggling with the effects of climate change or manufacturing automation.

Foreign relations and law enforcement

Proposed 2018 budget: $98.9B

The State Department, the Department of Homeland Security and the Department of Justice, which focus on diplomacy and law enforcement, have grown almost continuously for the past 40 years.

A major disruption came after the 2001 terrorist attacks, after which the Department of Homeland Security was founded. (The number you're seeing before that date is the funding allocated to all the then-independent agencies that are now part of DHS, like Immigration and Customs Enforcement.) From 2001 to 2002, the funding for these programs — which primarily focus on counterterrorism and immigration — nearly doubled. A smaller bump occurred in 2006 as part of FEMA's response to Hurricane Katrina.

Trump's budget proposal would make substantial changes to some of these departments. DHS is one of three departments that would see an increase in funding, which would be put toward building a wall along the southern border and increasing the number of agents throughout the immigration enforcement system, among other things. In total, the department's funding would increase by 7 percent.

The State Department, on the other hand, would face deeper cuts than any other department, losing 29 percent of its budget. In line with Trump's "America first" agenda, the budget proposal slashed foreign military and humanitarian aid, as well as funding to the United Nations and other international organizations. The proposal would inflict milder cuts on the Justice Department — 4 percent — and shifts money away from prison construction toward counterterrorism and the system for removing undocumented immigrants from the country.

Health, education and labor

Proposed 2018 budget: $216.5B

The Department of Veterans Affairs, the Education Department, the Department of Health and Human Services and the Labor Department have among the largest discretionary budgets in the government.

Like many other portions of the budget, they often fluctuate with the state of the economy. The biggest spikes came after the 2008 financial crisis. Between 2008 and 2009, the Labor Department's budget went up by about 50 percent to fund more job training programs as part of the stimulus. The stimulus also increased HHS's budget by half, funding everything from the promotion of medical technology to Head Start.

In Trump's proposal, these departments fared quite differently. VA would see a 6 percent increase in funding to ease the backlog in the veterans' health-care system. The Education Department is slated for a 14 percent decrease overall but an increase in funding for programs related to school choice. The Labor Department and HHS budgets would decrease by 21 and 18 percent, respectively.

Independent agencies

Proposed 2018 budget: $66.9B

The agencies' functions vary as widely as their budgets, and they have faced many different peaks and troughs over the past 40 years.

The 2009 stimulus had one of the biggest impacts. The budget for the General Services Administration, which helps the other agencies function, went up nearly twentyfold between 2008 and 2009, in part funding the construction and repair of government buildings around the country. The Environmental Protection Agency's budget nearly doubled, and in the aggregate, agency budgets went up by about a third.

But many of those increases have since been reversed, and a number of these agencies face cuts in Trump's budget. The EPA would take one of the hardest hits, losing 31 percent of its 2017 budget and a fifth of its workforce. These cuts are aimed at the agency's research programs, particularly with regard to climate change and environmental cleanup programs. The proposal dictates smaller decreases for other agencies, like the Small Business Administration and NASA, which would receive 5 and 1 percent budget cuts, respectively.

Defense

Proposed 2018 budget: $639B

Defense has long been one of the largest items in the budget, this year comprising nearly 50 percent of discretionary spending. The largest driver of defense spending over the past 40 years has been war.

Spending increased by nearly two-thirds during the Reagan administration as he built up the military during the Cold War. It increased drastically again during the Bush administration, largely to fund the military operations in Afghanistan and Iraq.

Trump's proposal would increase defense spending by 9 percent, about $52 billion. That's a bit larger than what Obama was projecting for 2018, and smaller than what congressional defense hawks wanted, according to Todd Harrison, the director of Defense Budget Analysis at the Center for Strategic and International Studies. "It's in line with what you're expecting to see," he said.

Whether the changes in Trump's proposal actually get enacted is an open question. Congress writes the budget and typically makes changes to the president's proposal. Last year, lawmakers disregarded Obama's budget altogether.

Despite a Republican-controlled Congress, Trump's cuts may not pass so easily. Republican lawmakers, including Sen. Rob Portman (Ohio), Sen. Dean Heller (Nev.) and Rep. Leonard Lance (N.J.), have criticized portions of the budget. And Sen. Lindsey O. Graham (R-S.C.) did not mince words after seeing a blueprint: "It's dead on arrival."

Sources: Center for a Responsible Federal Budget, The Office of Management and Budget

Note: Figures have been adjusted for inflation.

From: Welch, Randy
Sent: 20 Mar 2017 17:14:19 +0000
To: R8 All Hands
Cc: Gally, (b)(6) @state.co.us'; (b)(6) @state.co.us'; (b)(6) @mail.mil' (b)(6) (b)(6) @mail.mil' (b)(6) @nd.gov'; (b)(6) @state.sd.us'; (b)(6) @state.sd.us'; (b)(6) (b)(6) @utah.gov' (b)(6) @wyo.gov' (b)(6) @acf.hhs.gov'; (b)(6) @usace.army.mi (b)(6) @usace.army.mil'; (b)(6) @state.mn.us';Peterson, Mark J; (b)(6) @hhs.gov'; (b)(6) @hhs.gov'; (b)(6) @hhs.gov'; (b)(6) @sb a.gov' (b)(6) @sba.gov';Nelson, Jason; (b)(6) @fs.fed.us';Alexander, Daniel; (b)(6) @atf.gov'; (b)(6) @aveshka.com';'Carlson-Sherbo, Diana'
Bcc: (b)(6) @gmail.com'; (b)(6) @bresnan.net' (b)(6) @aol.com'; (b)(6) @hotmail.com'; (b)(6) @msn.com'; (b)(6) @aol.com' (b)(6) @netzero.net'; (b)(6) @commspeed.net'; (b)(6) @l apisarts.com'; (b)(6) @hotmail.com'; (b)(6) @yahoo.com' (b)(6) @charter.net'; (b)(6) @hotm ail.com'; (b)(6) @me.com' (b)(6) @gmail.com';Sturner, Barb (b)(6) @yahoo.com'; (b)(6) @hotmail.com'; (b)(6) @yahoo.com'; (b)(6) (b)(6) @usace.army.mil'; (b)(6) @ucdenver.edu' (b)(6) @btinet.net'; (b)(6) @aol.com'; (b)(6) (b)(6) @bvsd.org';Red Feather, Glenda; (b)(6) @gmail.com'; (b)(6) @gmail.com';Stephens, Holly;Castel, Joseph-Richard;Bonza, Dale;Coley, Robert
Subject: FEMA R8 clips for Monday 3-20-17
Attachments: R8 Clips 03-20-17.docx

Region VIII Clips
Monday, March 20, 2017

ANALYSIS

- *Colorado:* Many stories reported on the Sunshine Fire near Boulder, as well as other wildfires around the state. The Sunshine Fire also made the news on NBC, CBS, ABC, the *Washington Post* and *USA Today*. … A National Resiliency Center has been set up to help communities deal with the aftermath of mass shootings… Fremont County received a grant from the Emergency Food and Shelter program…. The Big Thompson Canyon road, damaged in the 2013 floods, is on track to open by Memorial Day… The *Kiowa County Press* has been carrying stories on preparedness and where to get information about potential disasters… Repairs to a popular local trail damaged in the 2013 floods have been delayed as Boulder prioritizes projects that are eligible for federal funding.
- *Montana:* Flood advisories were in effect in NE Montana, and flooding has occurred in Libby…. A Bozeman TV station noted that the wet weather should delay the start of fire season.
- *North Dakota:* Officials from the Red River Valley made their pitch to the state legislature for continued funding of the Fargo-Moorhead diversion project. A separate project to pipe water from the Missouri to the eastern and central parts of the state has also been proposed. … Four tribal lawsuits trying to stop the Dakota Access pipeline have been combined into one. Oil could begin flowing today. … A web story notes that some homes along the Mouse River may see higher flood insurance rates when a new map goes into effect in a couple years.

- *South Dakota:* An AP story summarizing the lawsuit against the Corps of Engineers for the 2011 Missouri River flooding is included.
- *Utah:* No FEMA-related stories
- *Wyoming:* Cheyenne Mayor Marian Orr told the city council her concerns about whether a FEMA grant would still be available under the new administration given that construction will likely not be done in timely fashion…
- *Other FEMA-related stories:* A *Washington Post* summary of the proposed federal budget includes a summary of the proposals for DHS and the SBA.

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Officials suspect human cause in Boulder's Sunshine fire (Denver Post – multiple Stories across Colorado regarding the Sunshine fire)

Hundreds evacuated in Colorado as firefighters battle 'Sunshine Fire' (Fox 6 Now)

Crews responding to 3 separate fires in Park County (KOAA News)

Weld County fire burns more than 50 acres (Denver Post)

Colorado group works to help cities cope with Aurora-like mass shootings (Denver Post)

Fremont County Awarded Federal Funds Under The Emergency Food And Shelter National Board Program (Canon City Daily Record)

Big Thompson Canyon Road On Track To Reopen By Memorial Day (Associated Press)
Flooding – Know the Risks (Kiowa County Press)
Wildfire in Colorado: Where Do You Get Information? (Kiowa County Press)

Reopening of flood-damaged Boulder Falls remains slippery goal (Daily Camera)

MONTANA:

Flood advisories in effect in northeastern Montana (AP; picked up by several outlets)
Flooding in Libby (ABC Fox Montana)

Wet western Montana winter may delay fire season (KBZK TV, Bozeman)

NORTH DAKOTA

Fargo, Grand Forks officials pitch water projects to lawmakers (Bismarck Tribune)

Judge combines 4 tribal suits over Dakota Access pipeline (Bismarck Tribune)

Residents along Mouse River could see flood insurance spike (MyNDNow.com)

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A look at a trial over Missouri River flooding (AP)

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Mayor Orr unhappy with Civic Center Commons oversight idea (Wyoming Tribune Eagle)

FEMA-RELATED STORIES
You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

40 Years Of Budgets Show Shifting National Priorities (Washington Post)

STORIES

COLORADO:

Officials suspect human cause in Boulder's Sunshine fire (Denver Post – Multiple Stories across Colorado regarding the Sunshine fire)

The fire has scorched 62 acres and is now 50 percent contained, officials said

http://www.denverpost.com/2017/03/19/sunshine-fire-boulder-updates/
by RJ Sangosti, The Denver Post
The Sunshine fire that has been burning west of Boulder since early Sunday morning appears to be human-caused, Boulder County sheriff's officials said late in the day. The fire has scorched 62 acres and is now 50 percent contained, officials said.
Cmdr. Mike Wagner said the general area where the fire started, at Sunshine Canyon Road and Timber Trail, has a network of unofficial "social" trails and is known to have "lots of transient campsites."
The Boulder Office of Emergency Management said firefighters plan to monitor the perimeter of the 62-acre fire and focus on protecting structures overnight. No structures have been damaged. Evacuation orders for residents of 426 homes remain in place.
Crews hope to contain the blaze fully on Monday.
Wagner said residents of the more than 400 homes evacuated early this morning were prohibited from returning at night, with high winds forecast around midnight. Re-evacuating at night is more difficult, he said.
"Things get exponentially more complex in the dark," he said.
Fire officials plan to reassess the evacuations in the morning, with an update expected around 8 a.m., Wagner said.
"They're hoping they can keep control of it overnight and really start mopping up tomorrow," he said.
No homes or structures have been damaged or destroyed, officials said, and there have been no reported injuries.
The contained area is off the "heel" of the fire near Sunshine Canyon Drive and the Centennial Trailhead, officials said.
Onlookers gathered at a roadblock on Fourth Street and Mapleton Avenue just east of Sunshine Canyon and worried the fire would spread into town or that they would be evacuated. But Belle Star, a resident of Boulder for the past 17 years, said she was not so scared while taking shelter at East Boulder Community Center.
"I woke up to the sound of pounding at my front door at 5 a.m., and policemen were meticulous about making sure everybody in my condo was out," she said, explaining that officials wrapped yellow caution tape around door handles indicating they had spoken with a resident. "I grabbed my sister and my cat and I left. Your priorities change when they want you to act fast."
Star lives at Fourth and Pearl Streets and said she has experienced other natural disasters before, including the Boulder Flood in 2013 and several fires. She said her main concern was the wind picking up and spreading the fire.
"They might have it out by tonight, but you never know," she said. "It all depends on the wind and which way it blows."
Wagner said: "I think it really hinges on what the weather does tonight. … We're not able to utilize aircraft at night, and evacuations are harder."

Officials were concerned earlier in the day about gusting winds because the fire was within a mile of downtown.

The Boulder Office of Emergency Management placed more than 1,000 phone calls ordering predawn evacuations. The fire was reported about 2:30 a.m. Sunday. The calls resulted in 426 homes being evacuated.

Six aircraft dropped water and slurry, said Barb Halpin, a spokeswoman for the Boulder Office of Emergency Management. Residents were warned to avoid Wonderland Lake, where water refills were conducted.

Gov. John Hickenlooper authorized support from the Colorado National Guard, including equipment such as two UH-60 Black Hawk helicopters, one CH-47 Chinook helicopter and a refueling truck from the Colorado Army National Guard.

Aircraft from Buckley Air Force Base were assisting.

The OEM placed about 3,700 calls to those on pre-evacuation notice, telling residents to be prepared to leave. About 8 p.m., 836 homes remained on pre-evacuation.

Police were patrolling the area at night to address concerns about possible burglaries to evacuated homes.

Wagner said 250 state and local firefighters and 50 fire vehicles were involved throughout the day Sunday. One firefighter told Wagner that there was no moisture in the soil of the burn area and said it was like June.

The Boulder office's website experienced high traffic and intermittently dropped offline during the day. Users were asked to refresh often or get information on Twitter at @BoulderOEM or on Facebook.

Conditions are ripe for fire throughout the Front Range, said Bernie Meier, meteorologist with the National Weather Service in Boulder. Boulder had a record 80-degree high Saturday, breaking the record of 77 for March 18 set in 1907.

Winds were light, about 5 mph at 8:30 a.m., but by 11 a.m., the weather service was recording gusts of 40 mph, with sustained winds of 5 to 10 mph pushing the flames in the wooded area a couple of miles west of Pearl Street.

Humidty was low, at 14 percent.

The fire was first reported on the mountainside near Sunshine Canyon and Timber Lane when someone noticed "glowing on the mountain, and we sent deputies," said Gabi Boerkircher, a spokeswoman with the Boulder Office of Emergency Management.

Boulder County Public Health advises people to avoid outdoor activities if they can see or smell smoke.

Some residents in the pre-evacuation zone in the Highland neighborhood were watching the fire from Eben G. Fine Park and waiting to see if the wind picked up before packing.

Ben Egner said that although he hadn't packed anything yet, he has a list in his head that includes musical instruments, books, his hard drive and his dog, Petunia. He said he found out about the fire after getting a text from a neighbor early this morning.

For another neighbor, Beth Prehn, it was a phone call from a friend at 5:30 a.m. that alerted her. At about 7 a.m., she took a picture of flames lighting up Sunshine Canyon.

"That was scary," she said.

Now, looking at smoke instead of flames, "I feel a lot better," she said.

Officials closed Boulder Canyon Drive to all traffic.

The general evacuation perimeter is Poorman Road to the west, Fourth Street in the city of Boulder to the east, Boulder Canyon Drive to the south and Sunshine Canyon Drive to the north,

according to the sheriff's office. Traffic is being rerouted on a portion of Boulder Canyon Drive at Sixth Avenue, down Arapahoe, and returning to Boulder Canyon Drive, the office of emergency management said.

Within the city of Boulder, the area of Fourth Street east to Broadway, and Mapleton Avenue to Canyon Boulevard are on pre-evacuation notice.

A Public Call Center line is open for non-emergency calls: 303-413-7730.

Residents ordered to evacuate can use the East Boulder Community Center, 5660 Sioux Drive. Large animals can be evacuated to the Boulder County Fairgrounds. Small animals can be taken to the East Boulder Community Center, but residents are asked to bring crates if possible.



Sunshine fire timelapse from overlook off Boulder turnpike, near canyon
Denver Post

Multiple fire agencies responded, including the Boulder Rural Fire Protection District, the Boulder Fire Department, the Greeley Fire Department and the Sheriff's Fire Management Program. The Denver Fire Department has dispatched five engines and 21 workers.

Seth Frankel, who was warned that he and his family may need to evacuate, said he had packed up "generations of things" that can't be replaced and was ready to go if the air quality got worse. He said smoke was pouring toward neighborhoods and many dead trees were combusting and sending black smoke into the air less than a half-mile from his home. But he and his wife, a Boulder native, and three daughters have dealt with fires and floods before.

"It's always alarming and always on your mind, but it's not an uncommon sensation around here," said Frankel, who has lived in Boulder for 20 years.

Frankel got word of the fire early Sunday from a neighbor who received a warning call, and he was outside with neighbors watching the flames and smoke. But he let his daughters, 9, 11 and 13, sleep in.

"It's still alarming, but there's no panic," Frankel said. "We will be long since gone when parents are no longer smiling."

The Associated Press contributed to this report.

Hundreds evacuated in Colorado as firefighters battle 'Sunshine Fire' (Fox 6 Now)

http://fox6now.com/2017/03/20/hundreds-evacuated-in-colorado-as-firefighters-battle-sunshine-fire/
Posted 6:07 am, March 20, 2017, by CNN Wire Service, Updated at 07:31AM, March 20, 2017

Firefighters worked into the night to contain a wildfire in the mountains west of Boulder, Colorado, that forced evacuations from hundreds of homes Sunday.

Against the backdrop of smoke billowing into the sky, firefighters managed to contain 50% of the relatively small but potentially destructive blaze by late Sunday evening.

With flames sizzling at the edge of Sunshine Canyon, crews planned to keep a close watch on the perimeter of the 62-acre fire overnight, the Boulder Office of Emergency Management (OEM) said.

"There was minimal spread within the footprint," Cmdr. Mike Wagner of the Boulder County Sheriff's Office said Sunday.

A total of 426 homes were evacuated before dawn Sunday, according to OEM officials. The mandatory evacuation remained in place into Monday morning.

"The (weather) forecast is a little concerning," Wagner said.

Unseasonable warm temperatures, breezy conditions and low humidity will increase the danger of the so-called Sunshine Fire going into Monday, the National Weather Service warns.

More than 250 personnel from across the Denver metropolitan worked to put out hotspots and flare-ups after the OEM received a 911 call about the fire shortly after midnight Sunday, officials said.

There have been no reports of property loss, structural damage or injuries, OEM officials said.

Authorities are investigating the cause of the fire.

CNN's Sheena Jones and Tina Burnside contributed to this report.

Crews responding to 3 separate fires in Park County (KOAA News)

http://www.koaa.com/story/34949791/crews-responding-to-3-separate-fires-in-park-county
Posted: Mar 19, 2017 6:12 PM MDT Sunday, March 19, 2017 8:12 PM EDT

Crews are responding to three separate fires in Park County, according to Park County officials on Twitter.

A 100+ acre fire is burning on a gun range west of Indian Mountain subdivision. A level one evacuation is in place for residents of the subdivision.

Another fire is burning near the McCurdy Trail in the Lost Park Wilderness Area.

Highway 9 is closed near Hartsel because of a hay truck fire.

This is a developing story and will be updated as more information becomes available.

Weld County fire burns more than 50 acres (Denver Post)

http://www.denverpost.com/2017/03/19/weld-county-fire-burns-more-than-50-acres/
By Hayley Sanchez | hsanchez@denverpost.com | The Denver Post
PUBLISHED: March 19, 2017 at 9:38 pm | UPDATED: March 19, 2017 at 11:43 pm
A fire was started Sunday evening between Lochbuie and Brighton from somebody shooting a gun.
The fire is estimated to have burned more than 50 acres in Weld County but is under control, said Natalie Ridderbos, Brighton Fire Rescue's spokeswoman.
The fire started around 6 p.m. at County Road 4 and Freestone Street. Fire crews were still working on hot spots at 7:30 p.m., but windy and dry conditions contributed to the fire's rapid spread.
No structures were threatened and no injuries have been reported, Ridderbos said. No suspects are currently under investigation.

Colorado group works to help cities cope with Aurora-like mass shootings (Denver Post)

The National Resiliency Center has compiled a blueprint of best practices to help manage the chaos that follows a mass shooting or disaster

http://www.denverpost.com/2017/03/20/national-resiliency-center-helps-cities-mass-shootings/
By Kirk Mitchell | kmitchell@denverpost.com | The Denver Post
March 20, 2017 at 12:01 am
In the 13 years between the Columbine High School massacre and the Aurora theater attack, mass shootings became so common in the U.S. that they were no longer unthinkable.
In 2016, there were 354 shootings in which four or more people were murdered, plus 49 school shootings and stabbings, said John Gay, chairman of the Aurora Key Community Response Team, who led the effort to create the National Resiliency Center.
When a crisis happens, from a mass shooting to natural disaster, most cities are unprepared and overwhelmed, Gay said. For example, when 12 people were killed and more than 70 injured at an Aurora movie theater in 2012, rescue efforts were hampered by traffic jams created as emergency responders rushed to the scene while moviegoers fled the theater multiplex.
Two days after the shooting, the idea for creating the National Resiliency Center was planted when Gay met with then-President Barack Obama and Gov. John Hickenlooper at the University of Colorado Hospital, where many of the injured were treated.
"(Obama and Hickenlooper) said we need to create something people can go to for information," Gay said.
So Gay worked with several emergency response experts to create the National Resiliency Center, a website that has compiled a blueprint of best practices to help manage the chaos.
The site provides action plans for incident commanders and other local, state and federal officials with detailed lists of recommendations for handling both the initial incident and its aftermath.
Those recommendations range from setting up incident command centers to handling unrelenting media inquiries and managing government grants and charitable donations.

"The goal is to reduce the chaos and the NRC protocols address issues rarely found in community, state and federal disaster plans," the website says. "Following the NRC advice can help reduce crisis chaos, increase first responder efficiency and effectiveness and aid/assist the emotional recovery of victims, victim's families, first responders and the community."

Gay, a former aide to numerous presidents including Richard Nixon and Gerald Ford and a member of the Overseas Security Advisory Council, said unfortunately a resource like the NRC is crucial.

"These atrocities are not going to go away. This is something that I think America needs," Gay said. "It's the good that came from the bad."

People from around the U.S. and the world have clicked on the website, often in the aftermath of mass shootings, said Terrance Quinlan, a member of NRC's board of directors.

"(People) from hot spots for terrorism have been hitting our website including from United Kingdom, Germany, Italy, Canada and Austria," said Quinlan, an expert in the financial effects of mass shootings.

In the fall of 2014, NRC officials met numerous times with security officers from the Pepsi Center and Town Center at Aurora about installing Israeli-made "smart (light) poles," equipped with infrared and radiation-detecting cameras.

"On a professional level it's a great resource to have," Tim Christiansan, security supervisor at the Pepsi Center, said of the resiliency center.

The NRC was purposely created independently of government control and supervision so it's designed to be an instant resource if needed, said Joe Kahoe, a retired Air Force colonel and co-founder of NRC.

"We didn't want to be encumbered by government bureaucracy," he said.

After the theater shooting, federal guidelines kept Aurora disaster responders waiting for two weeks to get permission to see the database of 19,000 after-action plans that the Federal Emergency Management Agency has compiled from communities around the country.

"Who goes through 19,000 plans of response? Nobody has the time to do that," Kahoe said.

NRC volunteers have sifted through many of FEMA's records and identified the policies and tactics deemed the most beneficial, he said. "We've made it a collection of pearls that are worth diving for," Kahoe said.

Gay has mostly used his own money to create NRC, but more financial support is needed to reach its goals and potential, he said.

NRC needs a permanent researcher, an executive director to field questions from around the country and seek federal and private grants to keep it running full-time. At least $350,000 a year is needed to run the program properly, Kahoe said.

"We've got to create a funding stream," Kahoe said. "There is so much tragedy out there."

Although the NRC is set up to help with the initial disaster response, its recommendations also are designed to help communities in the aftermath.

Often, government disaster grants and charitable donations dry up before officials realize the full scope of community victimization.

That's why the NRC says it's critical for communities to also oversee charitable giving — both to prevent fraud and ensure donations are available to help over the long term.

When a mass shooting happens, those affected include not only the victims and their families, but also first-responders and community residents, Gay said.

All of them can experience debilitating psychological trauma, he said. Many victims with only tangential ties can't afford to pay $100 per hour or more for therapy, Gay said. Their needs are unmet and they are often forgotten, he said.

The NRC recommends designating a committee to handle charitable funds and suggests limiting them to just two — one for victims and their families and another for victims and victim services. And it recommends not distributing all the donations immediately because victims and their families often need support for years.

Fremont County Awarded Federal Funds Under The Emergency Food And Shelter National Board Program (Canon City Daily Record)

Canon City (CO) Daily Record, March 17, 2017

Fremont County has been awarded federal funds under the Emergency Food and Shelter National Board Program

Fremont County has been chosen to receive $14,827 to supplement emergency food and shelter programs in the county.

The selection was made by a national board that is chaired by the U.S. Department of Homeland Security's Federal Emergency Management Agency and consists of representatives from American Red Cross; Catholic Charities, USA; National Council of the Churches of Christ in the USA; The Jewish Federations of North America, The Salvation Army; and United Way Worldwide. The local board was charged to distribute funds appropriated by Congress to help expand the capacity of food and shelter programs in high-need areas around the country.

A local board made up of a Catholic organization; Ministerial Association; Council of Government; a Jewish organization; Salvation Army; and Loaves and Fishes Ministries will determine how the funds awarded to Fremont County are to be distributed among the emergency food and shelter programs run by local service agencies in the area. The local board is responsible for recommending agencies to receive these funds and any additional funds available under this phase of the program.

Under the terms of the grant from the national board, local agencies chosen to receive funds must: 1) be private voluntary non-profits or units of government, 2) be eligible to receive federal funds, 3) have an accounting system, 4) practice nondiscrimination, 5) have demonstrated the capability to deliver emergency food and/or shelter programs, and 6) if they are a private voluntary organization, they must have a voluntary board. Qualifying agencies are urged to apply.

Fremont County has distributed Emergency Food and Shelter funds previously with The Salvation Army, Loaves and Fishes Ministries, and the Cañon City Pregnancy Center.

Public or private voluntary agencies interested in applying for Emergency Food and Shelter Program funds must contact Deidra Clement at 241 Justice Center Road or call 719-275-0593 for an application. The deadline for applications to be received is April 7.

Big Thompson Canyon Road On Track To Reopen By Memorial Day (Associated Press)

March 18, 2017

FORT COLLINS, Colo. (AP) — Work to rebuild the highway through Big Thompson Canyon between Loveland and Estes Park is on schedule and highway officials expect to reopen the road by Memorial Day as planned.

U.S. Highway 34 has been closed since last fall while crews make long-term repairs.

Heavy flooding washed out the route in 2013. The road reopened but needed to be rebuilt.

The Fort Collins Coloradoan reports (http://noconow.co/2nPN2oP) road work will continue this summer and will affect tourist traffic on the winding canyon road.

Information from: Fort Collins Coloradoan, http://www.coloradoan.com

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Flooding – Know the Risks (Kiowa County Press)

http://kiowacountypress.net/content/flooding-%E2%80%93-know-risks

Saturday, March 18, 2017

Note: March 12 through 18 is Flood and Wildfire Safety Week in Colorado. This is the third article in a series on safety and preparedness. See Monday's article here.

Today's topic during this Flood Safety and Wildfire Awareness Week is flooding which develops in the time frame of longer than 6 hours to several days.

There have been some notable floods across the Centennial State:

In early June of 1921, a flood along the Arkansas River devastated the City of Pueblo. Scores of drownings occurred.

Around Memorial Day 1935 catastrophic flooding occurred on the Palmer Divide and the Colorado Springs area, causing millions of dollars of damage, and drowning at least 18 people.

The mid-June 1965 flood was widespread across eastern Colorado, taking several lives, and causing over 500 million dollars of damage.

During late April and early May of 1999, after up to 14 inches of rain fell, a major flood occurred across southeast Colorado from Colorado Springs to La Junta.

In 2013, the historic rains and floods in September caused over 3 billion dollars of damage, and took 9 lives.

In 2014, during May, multiple days of heavy rain and snow caused flooding across many areas of eastern Colorado.

Floods in Colorado can result from rapid snow melt, ice jams, a combination of snow melt and heavy rain, or just heavy rain.

National Weather Service forecast offices in Colorado closely collaborate with regional River Forecast Centers that monitor the Colorado River, South Platte River, Arkansas River, and Rio Grande to come to a consensus on the likelihood of flooding along rivers and large creeks.

The National Weather Service will discuss flood potential in hydrologic outlooks, daily hazardous weather outlooks, and in graphical weather stories on National Weather Service forecast office web sites.

Hydrologic statements may be issued for high flows that are within the banks of a river or large creek.

When flooding is possible on a river or large creek, a Flood Watch will be issued, meaning flooding is possible within the designated watch area.

When flooding is likely or occurring on a river or large creek, a Flood Warning will be issued, meaning flooding is expected or has been reported at designated river forecast points.

Flood Advisories may be issued for minor flooding on rivers and creeks.

An Areal Flood Warning may also be issued for flooding on a river or large creek in areas away from the designated river forecast points.

You can easily monitor potential flooding along rivers in Colorado and large creeks using the Advanced Hydrologic Prediction Service monitoring system. Information on this monitoring system can be obtained from this web site:

http://water.weather.gov/ahps

This monitoring system can be accessed on Colorado National Weather Service forecast office web sites by clicking Rivers and Lakes.

At each river and large creek gauge you can easily look at current and forecast water levels, flood categories, historic crests, and flood impacts. Probabilities of exceedance of certain water levels by week or over the long term are also available.

In general, there will be some time to prepare for river and large creek flooding, and emergency management in your area has plans in place to address flooding issues. Know these plans and how you should act accordingly when Flood Watches and Flood Warnings are in effect.

For more information on flood safety go to:

http://www.floodsafety.noaa.gov

The topic for tomorrow is life-threatening flooding which occurs very quickly, flash floods.

Colorado Flood Safety and Wildfire Awareness Week continues through this Saturday.

Wildfire in Colorado: Where Do You Get Information? (Kiowa County Press)

http://kiowacountypress.net/content/wildfire-colorado-where-do-you-get-information
Saturday, March 18, 2017

Note: March 12 through 18 is Flood and Wildfire Safety Week in Colorado. This is the fifth article in a series on safety and preparedness. See Wednesday's article here

A mixture of large and small wildfires occurred across Colorado in 2016. These fires were due to a mixture of dry conditions, combined with gusty, warm winds and, sometimes, careless fire prevention efforts. There were instances when residents had to be evacuated as a large wildfire moved toward larger communities. Would you know what to do to protect yourself and your loved ones in this situation? In addition, if you live in an area that is susceptible to wildfires, how can you prepare yourself and your home?

To assist in your preparation for fire, the National Weather Service provides a variety of fire weather forecast products. Twice a day in Colorado, fire weather planning forecasts are made from each weather service office serving the state. A Fire Weather Watch may be issued if in the next 12 to 48 hours the forecast includes gusty winds of 25 mph or greater, relative humidities of less than 15 percent for at least three hours, dry lightning, or a combination of weather and fuel conditions that may make large wildfires possible. A Red Flag Warning will be issued if these same critical fire conditions are forecast within the next 24 hours.

Both Fire Weather Watches and Red Flag Warnings are issued in coordination with land management agencies. The fire weather spot program supports land management agencies for both prescribed burns and for wildfires. A fire weather spot forecast is a detailed forecast for a prescribed burn or an individual fire. For national type 2 or type 1 fires, the National Weather Service will detail an IMET (incident meteorologist), to a fire team to provide onsite weather support and detailed fire forecasts.

If you live in the wildland-urban interface there are a number of actions you can take to reduce your personal fire threat including reducing vegetation near the home and putting a fire-resistant roof on your home.

More information is available from your National Weather Service at:

http://www.nws.noaa.gov/om/fire

or from your Department of Homeland Security at:

http://www.ready.gov/wildfires.

When a wildfire occurs, there may be years of increased flood threat on the burn scar, as a healthy forest can handle an inch to inch and a half of rain with no flood risk. Once the litter and vegetation is removed by a wildfire, as little as a half inch of rain in a short period of time can cause serious, and possibly life threatening flooding.

Colorado Flood Safety and Wildfire Awareness Week continues through this Saturday.

Reopening of flood-damaged Boulder Falls remains slippery goal (Daily Camera)

Earlier projections on repairs proved overly optimistic

http://www.dailycamera.com/news/boulder/ci_30864042/reopening-flood-damaged-boulder-falls-remains-slippery-goal

By Charlie Brennan

Staff Writer

POSTED: 03/19/2017 09:00:00 AM MDT | UPDATED: ABOUT 10 HOURS AGO

It took exactly no time at all on a midweek visit to Boulder Falls to encounter two hikers emerging from the trail in violation of the ongoing post-flood closures there.

One of the two, a University of Colorado junior, said he and his brother had been climbing in the Lower Dream Canyon area, which can also be accessed by way of Sugarloaf Road and Upper Dream Canyon, but can be reached much more quickly by just breezing by the posted Boulder Falls closures. He said he and his brother are hardly alone in doing so.

"Every time I come up here, there's more and more people up here," said the CU student, who declined to give his name. "If I'm climbing here, I just figure I'm going to go in, and if I get hit with a $50 fine, I just figure that's the way it goes."

In terms of fixing the falls trail, it's not going very quickly.

Boulder open space staff last April expressed hopes that the popular Boulder Trail, heavily damaged by the September 2013 flood, could be open by the end of 2016.

In September, reassessment of the situation produced a projection that the reopening could come some time in 2017.

Now, however, comes the news that while advancing the rehab work at the destination 11 miles west of Boulder is very much on the front burner, there are no promises on when Boulder Falls will reopen — beyond the vow that, at some point, that day will come.

"I think it's premature to put a timeline on it," said Phillip Yates, spokesman for Boulder's Open Space and Mountain Parks department. "But as I said before, we're trying to expedite the process. We understand the impact on visitors, and we're working to complete repairs, to minimize extended closures into the future."

Yates said that in 2016, OSMP crews completed "significant" work on Boulder Falls. It included repairing the "landing platform" from which to view the falls, along with rock work in the area.

In normal times, the falls are closed anyway from Nov. 1 to May 1 to conduct scaling work in the area to reduce any danger posed by loose rocks.

As that work has been ongoing, Yates said, "They recognized the need for additional repair work, and that includes substantial work to gabions," which help minimize the incidents of falling rocks. Getting that done, Yates said, is going to take some time.

"This repair work will unfortunately lead to extended closures in the area," Yates said. "And we understand the draw Boulder Falls has for visitors, and we recognize that the area has seen long-term closures, which has decreased visitor experiences for many in our community.

"We recognize its importance, and are working diligently to reopen, while we also complete many other flood-related projects."

The same rugged environment that makes the nearby Dream Canyon environment attractive to climbers contributes to Boulder Falls being a challenge and potentially hazardous for repair crews.

"So as part of the design process, we're going to have to analyze the geology of the area and the potential repair methods. That is going to take some time to complete," Yates said. "It's also important to note that traditional trail building machines can't access this rugged area. And construction feasibility will determine much of the design."

Boulder officials elected to prioritize flood recovery projects that are reimbursable with federal dollars — which Boulder Falls is not.

There are numerous other competing flood recovery projects that remain, some of which were also candidates for federal dollars.

They include the NCAR-Bear Canyon Trail and a Mesa Trail section south of the National Center for Atmospheric Research, which should be completed by late June, repairing flood damage and enabling firefighting and search-and-rescue vehicles to regain access to difficult terrain.

Other remaining projects include the Chautauqua Trail and repairs to the Mesa and Shadow Canyon South trails near Eldorado Springs — likely to begin in late April — as well as repairs along the South Boulder Creek West, Lower Big Bluestem and the North and South Shanahan Fork trails.

As for those who might shrug off the fine incurred for forging on past the Boulder Falls closure signs, the penalty could be well north of $50.

Yates said the penalty imposed for violating the closure order at the falls, which would be determined by a judge, could be up to $1,000 and/or spell 90 days in jail.

MONTANA:

Flood advisories in effect in northeastern Montana (AP; picked up by several outlets)

http://www.greatfallstribune.com/story/news/local/2017/03/18/flood-advisories-effect-northeastern-montana/99360046/

Associated Press 4:25 p.m. MT March 18, 2017

POPLAR, Mont. (AP) — Flood warnings are in effect in northeastern Montana as winter snow pack continues to melt.

The National Weather Service says flooding occurred along the West and Middle Forks of the Poplar River on Friday and that water will work its way downstream toward Poplar over the weekend.

It says melting snow in the Little and Big Snowy Mountains south of Lewiston will also raise the water level in Flatwillow Creek over the weekend.

Overnight temperatures will still be cold enough to freeze water on roadways so drivers are urged to watch out for possible slick spots.

Flooding in Libby (ABC Fox Montana)

http://www.abcfoxmontana.com/story/34943003/flooding-in-libby

Posted: Mar 17, 2017 7:29 PM MDT
Friday, March 17, 2017 9:29 PM EDT
By Maren Siu

LIBBY - Education Way in Libby was closed Friday morning due to flooding.
Lincoln County Emergency Manager Lisa Oedewaldt tells ABCFOX that this type of flooding is not unusual for this time of the year. Usually rain and snow melt creates the floods.

There is minor damage to some homes in Libby, but city and county crews are working fast to put the water back into the canals.

Wet western Montana winter may delay fire season (KBZK TV, Bozeman)

http://www.kbzk.com/story/34945262/wet-western-montana-winter-may-delay-fire-season

Posted: Mar 18, 2017 4:10 PM MDT
By MTN News

MISSOULA - It has been a wet year for western Montana with the National Weather Service announcing that Missoula has experienced its wettest year since 1996.

The Missoula Valley has seen 9.36" of precipitation since the beginning of the water year in October about double the 4" to 5" sees at this time of year.

"This is all very good. Even if we do have a dry early summer, the plants are going to have a lot of moisture built up so it's definitely a good start to the fire season," explained National Weather Service meteorologist Ryan Leach.

While the wet winter will help keep fires down the excess water can also pose a threat. As the snow in higher elevations melt and runs into rivers there is always the possibility of flooding.

One are the National Weather Service is closely watching for flooding is along the Montana/Idaho border. Some flooding has already been seen in the Bitterroot Valley as well as north of Missoula.

NORTH DAKOTA:

Fargo, Grand Forks officials pitch water projects to lawmakers (Bismarck Tribune)

John Hageman Forum News Service
Mar 16, 2017

Elected officials from Red River Valley cities and across North Dakota made their pitch for water project funding during a state legislative budget hearing Thursday.

Amid the waterfall of testimony was a presentation from Fargo City Commissioner Tony Grindberg, who advocated for continued state support of the massive flood diversion project in Fargo-Moorhead. The estimated $2.2 billion project is expected to receive about a fourth of its funding — $570 million — from the state of North Dakota.

Thursday's Senate Appropriations Committee hearing was on the State Water Commission budget, which includes almost $300 million for new projects in the coming two-year funding cycle. Fargo officials are seeking $66.5 million from the state in the 2017-19 biennium, and Grindberg said he was confident funding would come through.

Construction on the Fargo flood project has started, although it has attracted a lawsuit from a group representing upstream property owners. Last month, a federal judge agreed to bring the U.S. Army Corps of Engineers back into the suit.

"The Corps is committed to this project," Col. Sam Calkins of the corps told legislators Thursday. "We're confident we can continue construction and that we'll eventually or ultimately prevail in that litigation."

Like Grindberg, Grand Forks City Council member Ken Vein was optimistic Thursday that the remaining state funds for the city's new water treatment plant will be in place. That project has already started construction.

The state has provided $35 million in the last two funding cycles for the project, and last session lawmakers passed a bill stating their intent to provide the final $30 million in the 2017-19 biennium.

“I feel very confident either way we’ll get it,” Vein said.

Vein, who is also chairman of the Garrison Diversion Conservancy District, presented lawmakers with plans for a pipeline from the Missouri River to supplement water supplies in central and eastern North Dakota, a project known as the Red River Water Supply Project. He asked for $30 million to keep it on track.

Conceptual design was completed last year, and preliminary design is now in progress, Vein said.

“With continued growth and industrial development, the Red River Valley Water Supply Project will mitigate against drought conditions that could be devastating, foster economic development by meeting municipal, rural and industrial water demands and promote environmental sustainability,” Vein said in prepared remarks.

The Senate Appropriations Committee didn’t take any immediate action on the budget bill Thursday.

Judge combines 4 tribal suits over Dakota Access pipeline (Bismarck Tribune)

By BLAKE NICHOLSON Associated Press (Bismarck Tribune)
March 17, 2017

BISMARCK, N.D. (AP) — A judge has combined lawsuits filed by four Sioux tribes over the Dakota Access pipeline, streamlining the drawn-out legal battle over the $3.8 billion project to move North Dakota oil to a distribution point in Illinois.

Meanwhile, a federal appeals court could decide this weekend on a tribal request to stop oil from flowing through the pipeline next week.

The neighboring Standing Rock and Cheyenne River tribes teamed up last summer in the main lawsuit against Texas-based pipeline developer Energy Transfer Partners and the U.S. Army Corps of Engineers, the federal agency that granted pipeline permits at more than 200 water crossings, including the Missouri River. The Yankton Sioux also sued last summer, and the Oglala Sioux filed its own lawsuit last month.

The four Dakotas tribes make essentially the same claims: The pipeline threatens cultural sites and the Missouri, from which they get water for drinking and religious practices.

"Consolidating the cases would conserve judicial resources, allow the parties to save time and expense, and enable the court and parties to schedule matters more efficiently," Corps attorneys said in asking U.S. District Judge James Boasberg in Washington, D.C., to lump the cases together.

None of the tribes or ETP objected to the move, and Boasberg granted the request Thursday.

The legal battle lingers even as ETP prepares to launch pipeline operations. Crews are wrapping up final pipe work under Lake Oahe, a Missouri River reservoir in North Dakota, and the company has said oil could flow as early as Monday.

Cheyenne River attorney Nicole Ducheneaux asked the U.S. Court of Appeals for the District of Columbia Circuit to issue by Monday an "emergency" prohibition of any oil flow, until it resolves an appeal of Boasberg's recent decision to not stop final construction. Boasberg also rejected a separate tribal request to stop oil from flowing.

The tribes' appeal rests on the religion argument. Boasberg has said he doesn't think the tribes have a strong case on appeal. He also said ETP would be "substantially harmed" by a delay in pipeline operations.

Both the company and Corps filed court documents Friday opposing the tribal request. The appeals court will make a decision sometime after Friday evening, the deadline it set for attorneys to submit written arguments.

Residents along Mouse River could see flood insurance spike

(MyNDNow.com)
By: Cynthia Hill MyNDNow.com
Posted: Mar 18, 2017 01:20 AM CDT

A re-working of FEMA's flood risk maps could take effect in about two years. FEMA is re-working its maps that determine what properties are within the 100-year flood plane.

Using Minot as an example, the dike system provides protection to about 5-thousand CFS of river flow, but FEMA is likely to say the new 100-year flood level is closer to 10-thousand CFS.

That will move thousands of homes that qualified for the lowest flood insurance rates into a much higher rate class. City Engineer Lance Meyer says the city has been working with FEMA to reduce the impact of the changes as little as possible.

"We've been doing everything we can to help push the process out a little bit to give us more time to construct flood control but also to make sure whatever maps do get developed have the best data available," says Lance Meyer, Minot City Engineer.

The new flood maps are not expected to be in effect for about two years. Meyer says after they take effect, properties protected as the city improves its levee and flood-wall system will again qualify for the lower insurance rates.

SOUTH DAKOTA:

A look at a trial over Missouri River flooding (AP)

Mar 15, 2017 4:13 PM MDT
By The Associated Press (Posted by NEWSCENTER1)

KANSAS CITY, Mo. (AP) - A look at the civil trial over the U.S. Army Corps' stewardship of the Missouri River and landowner claims that the agency's decisions have contributed to devastating floods.

WHAT'S ALLEGED: Several hundred landowners named in the class-action lawsuit filed in 2014 allege in the U.S. Court of Federal Claims that the Army Corps has deemphasized flood control along the Missouri and put more emphasis on habitat restoration, leading to more flooding. The plaintiffs also insist the Corps unconstitutionally deprived them of their land, essentially taking it without compensation.

THE CORPS' STANCE: The federal government argues in court filings that authorities never promised to stop all flooding along the 2,341-mile-long Missouri, and that the Corps' providing habitat for endangered species didn't exacerbate the inundation six years ago. Officials have said the Corps balances flood control and an array of other potential uses of the river, including shipping, recreation and hydropower.

THE TRIAL: The trial began March 6 in Kansas City, Missouri, and will shift in late April to Washington, D.C., with no decision expected at least until summer, at the earliest.

THE JUDGE: The presiding judge - Nancy Firestone, a former federal prosecutor appointed to the claims court in 1998 - served in the late 1990s as a deputy assistant attorney general in the U.S. Department of Justice's environment and natural resources division after holding top positions in the Environmental Protection Agency, including as a judge of its environmental appeals board. She has Missouri connections, having gotten a bachelor's degree from St. Louis' Washington University and a law degree from the University of Missouri at Kansas City.

UTAH:

No FEMA-related stories

WYOMING:

Mayor Orr unhappy with Civic Center Commons oversight idea (Wyoming Tribune Eagle)

- By James Chilton, Wyoming Tribune Eagle
  Mar 19, 2017



Cheyenne's Mayor Marian Orr speaks during a press conference Nov. 29, 2016, at the Cheyenne Public Safety Center. Blaine McCartney/Wyoming Tribune Eagle

CHEYENNE – Mayor Marian Orr has registered her displeasure about the City Council's introduction last week of an ordinance to create a management team to oversee construction of the city's Civic Center Commons project.

Civic Center Commons, which is set to replace a parking lot just west of the Cheyenne Municipal Building at 2101 O'Neil Ave., has long been lauded as a "crown jewel" of the ongoing West Edge initiative, which seeks to provide infrastructure improvements and quality-of-life amenities to the western portion of downtown Cheyenne.

Of the three West Edge projects designed to date – including Pumphouse Park and the 26th Street stormwater interceptor – Civic Center Commons is the most ambitious. In addition to providing a large space to contain stormwater during a major rain event, the commons also includes many park features conducive to live music events, food truck rallies and other such events.

Design for the project is underway, and funding has been secured through a 2012 sixth-penny sales tax initiative, and grants from the Federal Emergency Management Agency and the State Loan and Investment Board, as well as support from the Wyoming Business Council.

But several council members have been dissatisfied with the pace of work on the project, particularly since December, when the council passed a resolution seeking its "expedient completion." Thus, on March 13, council vice president Mark Rinne introduced an ordinance to create a management team to oversee the project and provide regular reports to the council about how things are proceeding – or why they aren't.

But Mayor Orr has taken umbrage at the ordinance, and made as much clear March 15 when she sent an email to the rest of the City Council. In it, Orr says the city has already made substantial progress on West Edge projects in the weeks since she took office, and she questioned Rinne's decision to craft his ordinance without first expressing his concerns to her.

"Had Dr. Rinne come to me with his concerns and asked for such a team and communication, I certainly would have listened and worked with him, as I have with all of you, so far to date," Orr wrote. "To communicate to me through ordinance is not only inappropriate, it only serves to appear as political grandstanding, and does nothing to foster a working relationship between the mayor and council, but rather the adverse."

Attempts to reach Rinne for a response Friday and Saturday were unsuccessful. But in an interview Friday, Orr sought to elaborate her problems with the ordinance, as well as her concerns with Civic Center Commons.

"I've had several discussions with most of the council members regarding Civic Center Commons, keeping them aware of the timeline we're working with," Orr said. "I've also let them know there was a delay in getting an independent engineering review; it turned out to be more difficult to find an entity that didn't have a previous relationship with the engineering firms in the community."

Orr said her biggest concern with the project is that its most talked-up features – an amphitheater, park space and public open space – appear to have taken precedence over its stormwater drainage aspects, which are actually what has driven much of the grant funding secured to date.

"It's not that Engineering or my office are opposed to a park, but when you have discussions about it, very seldom does anybody talk about drainage," Orr said. "And when it comes to using FEMA funds, we need to be good stewards; we need to make sure that we do right by FEMA. One of the concerns that I raised in a meeting in looking at our grant application, we were specifically asked if there were any known contaminants in the area, and we replied 'no.' But anyone that knows this area knows full well there are contaminants, so at the very least we should have answered 'unknown.'"

Orr acknowledged FEMA has already reviewed the project twice and approved it both times based on its proposed stormwater flood controls. But she wonders whether that opinion may change now that a new administration is overseeing FEMA in Washington, D.C.

Orr noted the $3 million grant approved by FEMA for the project will expire Sept. 30, and she has doubts as to whether the city could realistically have construction done by then. More likely, she believes the city will have to request a one-year extension of the grant – its second so far – by July 1.

"I am concerned with a very big unknown within the FEMA administration, with it being a new administration, what the likelihood of (approving) that request for an extension would be," Orr said. "There's no guarantee they will grant the extension this time, and should we proceed with the project without knowing full well we do, indeed, have that extension? Where does that leave us with funding the project without FEMA funds?"

All that said, Orr is still only one voice when it comes to City Council ordinances, and with six co-sponsors out of nine council members, she may be outnumbered when it comes to whether the oversight group happens.

FEMA-RELATED STORIES:

40 Years Of Budgets Show Shifting National Priorities (Washington Post)

By Gabriel Florit, Kim Soffen, Aaron Steckelberg And Tim Meko

March 17, 2017

In his first budget proposal, released Thursday, President Trump proposed drastic cuts to many of the nation's agencies and programs to offset nearly $60 billion in additional spending on defense, a down payment on the border wall and funding for school choice programs, among other things. If enacted, the proposal would be one of the most dramatic redistributions of funds since Reagan's military build-up during the Cold War in the early 1980s.

Discretionary spending limits, the only portion of the budget addressed by this proposal, are set by congressional budget resolutions. Mandatory spending, by contrast, is set by other laws and primarily includes interest on the debt and entitlement programs such as Social Security and Medicare. Here, the funding level is often determined by the size of the benefit and the eligible population.

Infrastructure

Proposed 2018 budget: $114.4B

The Agriculture Department, Interior Department, Energy Department, Transportation Department and the Department of Housing and Urban Development control much of the nation's vast infrastructure.

These departments, especially HUD, lost significant funding as Reagan took office. His promise to shrink the size of the government included significant reductions in federal housing funds.

Much of the other fluctuation in these budgets has been driven by political and financial turmoil. In the late 1970s, increased oil production in response to the energy crisis caused a spike in the Energy Department's budget. A few years later, in the early 1980s, the "farm crisis" — a period of falling crop prices and lower incomes for farmers — led to large payouts from the Agriculture Department.

More recently, as part of the stimulus following the 2008 financial crisis, many of these departments, most notably Transportation, received large budget increases. Note that though the 2009 budget was set during the Bush administration, the stimulus itself was negotiated and passed by President Obama.

With Trump's 2018 proposal, all of these departments are looking at cuts of between 12 and 21 percent. Much of this money would be taken out of research and climate-change-related programs.

The economy

Proposed 2018 budget: $19B

The Treasury Department and Commerce Department are concerned with the government's finances and the country's economic growth, respectively. Their funding levels are largely driven by the state of the economy and government budgets.

Treasury saw a large bump in spending in the mid 1970s because the department loaned more than $1.3 billion (nearly $6 billion in today's dollars) to New York City. The city government at the time was facing bankruptcy.

The departments' funding similarly responds to nationwide financial crises; after the 2008 housing bubble burst, the Commerce Department got increased funding to respond. Financial agencies outside these departments, such as the FDIC, which insures Americans' bank deposits, also saw spending spikes during that period (though that money is funded by insurance premiums, not Congress).

With Trump's 2018 proposal, Treasury would see a modest 4 percent cut, largely aimed at the IRS's funding. Commerce would see a steeper 16 percent decrease, cutting from many programs that aim to help communities struggling with the effects of climate change or manufacturing automation.

Foreign relations and law enforcement

Proposed 2018 budget: $98.9B

The State Department, the Department of Homeland Security and the Department of Justice, which focus on diplomacy and law enforcement, have grown almost continuously for the past 40 years.

A major disruption came after the 2001 terrorist attacks, after which the Department of Homeland Security was founded. (The number you're seeing before that date is the funding allocated to all the then-independent agencies that are now part of DHS, like Immigration and Customs Enforcement.) From 2001 to 2002, the funding for these programs — which primarily focus on counterterrorism and immigration — nearly doubled. A smaller bump occurred in 2006 as part of FEMA's response to Hurricane Katrina.

Trump's budget proposal would make substantial changes to some of these departments. DHS is one of three departments that would see an increase in funding, which would be put toward building a wall along the southern border and increasing the number of agents throughout the immigration enforcement system, among other things. In total, the department's funding would increase by 7 percent.

The State Department, on the other hand, would face deeper cuts than any other department, losing 29 percent of its budget. In line with Trump's "America first" agenda, the budget proposal slashed foreign military and humanitarian aid, as well as funding to the United Nations and other international organizations. The proposal would inflict milder cuts on the Justice Department — 4 percent — and shifts money away from prison construction toward counterterrorism and the system for removing undocumented immigrants from the country.

Health, education and labor

Proposed 2018 budget: $216.5B

The Department of Veterans Affairs, the Education Department, the Department of Health and Human Services and the Labor Department have among the largest discretionary budgets in the government.

Like many other portions of the budget, they often fluctuate with the state of the economy. The biggest spikes came after the 2008 financial crisis. Between 2008 and 2009, the Labor Department's budget went up by about 50 percent to fund more job training programs as part of the stimulus. The stimulus also increased HHS's budget by half, funding everything from the promotion of medical technology to Head Start.

In Trump's proposal, these departments fared quite differently. VA would see a 6 percent increase in funding to ease the backlog in the veterans' health-care system. The Education Department is slated for a 14 percent decrease overall but an increase in funding for programs related to school choice. The Labor Department and HHS budgets would decrease by 21 and 18 percent, respectively.

Independent agencies

Proposed 2018 budget: $66.9B

The agencies' functions vary as widely as their budgets, and they have faced many different peaks and troughs over the past 40 years.

The 2009 stimulus had one of the biggest impacts. The budget for the General Services Administration, which helps the other agencies function, went up nearly twentyfold between 2008 and 2009, in part funding the construction and repair of government buildings around the country. The Environmental Protection Agency's budget nearly doubled, and in the aggregate, agency budgets went up by about a third.

But many of those increases have since been reversed, and a number of these agencies face cuts in Trump's budget. The EPA would take one of the hardest hits, losing 31 percent of its 2017 budget and a fifth of its workforce. These cuts are aimed at the agency's research programs, particularly with regard to climate change and environmental cleanup programs. The proposal dictates smaller decreases for other agencies, like the Small Business Administration and NASA, which would receive 5 and 1 percent budget cuts, respectively.

Defense

Proposed 2018 budget: $639B

Defense has long been one of the largest items in the budget, this year comprising nearly 50 percent of discretionary spending. The largest driver of defense spending over the past 40 years has been war.

Spending increased by nearly two-thirds during the Reagan administration as he built up the military during the Cold War. It increased drastically again during the Bush administration, largely to fund the military operations in Afghanistan and Iraq.

Trump's proposal would increase defense spending by 9 percent, about $52 billion. That's a bit larger than what Obama was projecting for 2018, and smaller than what congressional defense hawks wanted, according to Todd Harrison, the director of Defense Budget Analysis at the Center for Strategic and International Studies. "It's in line with what you're expecting to see," he said.

Whether the changes in Trump's proposal actually get enacted is an open question. Congress writes the budget and typically makes changes to the president's proposal. Last year, lawmakers disregarded Obama's budget altogether.

Despite a Republican-controlled Congress, Trump's cuts may not pass so easily. Republican lawmakers, including Sen. Rob Portman (Ohio), Sen. Dean Heller (Nev.) and Rep. Leonard Lance (N.J.), have criticized portions of the budget. And Sen. Lindsey O. Graham (R-S.C.) did not mince words after seeing a blueprint: "It's dead on arrival."

Sources: Center for a Responsible Federal Budget, The Office of Management and Budget

Note: Figures have been adjusted for inflation.

Region VIII Clips
Monday, March 20, 2017

ANALYSIS

- *Colorado:* Many stories reported on the Sunshine Fire near Boulder, as well as other wildfires around the state. The Sunshine Fire also made the news on NBC, CBS, ABC, the *Washington Post* and *USA Today*. … A National Resiliency Center has been set up to help communities deal with the aftermath of mass shootings… Fremont County received a grant from the Emergency Food and Shelter program…. The Big Thompson Canyon road, damaged in the 2013 floods, is on track to open by Memorial Day… The *Kiowa County Press* has been carrying stories on preparedness and where to get information about potential disasters… Repairs to a popular local trail damaged in the 2013 floods have been delayed as Boulder prioritizes projects that are eligible for federal funding.
- *Montana:* Flood advisories were in effect in NE Montana, and flooding has occurred in Libby…. A Bozeman TV station noted that the wet weather should delay the start of fire season.
- *North Dakota:* Officials from the Red River Valley made their pitch to the state legislature for continued funding of the Fargo-Moorhead diversion project. A separate project to pipe water from the Missouri to the eastern and central parts of the state has also been proposed. … Four tribal lawsuits trying to stop the Dakota Access pipeline have been combined into one. Oil could begin flowing today. … A web story notes that some homes along the Mouse River may see higher flood insurance rates when a new map goes into effect in a couple years.
- *South Dakota:* An AP story summarizing the lawsuit against the Corps of Engineers for the 2011 Missouri River flooding is included.
- *Utah:* No FEMA-related stories
- *Wyoming:* Cheyenne Mayor Marian Orr told the city council her concerns about whether a FEMA grant would still be available under the new administration given that construction will likely not be done in timely fashion…
- *Other FEMA-related stories:* A *Washington Post* summary of the proposed federal budget includes a summary of the proposals for DHS and the SBA.

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Fremont County Awarded Federal Funds Under The Emergency Food And Shelter National Board Program (Canon City Daily Record)

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Flood advisories in effect in northeastern Montana (AP; picked up by several outlets)

Flooding in Libby (ABC Fox Montana)

Wet western Montana winter may delay fire season (KBZK TV, Bozeman)

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Fargo, Grand Forks officials pitch water projects to lawmakers (Bismarck Tribune)

Judge combines 4 tribal suits over Dakota Access pipeline (Bismarck Tribune)

Residents along Mouse River could see flood insurance spike (MyNDNow.com)

SOUTH DAKOTA:

A look at a trial over Missouri River flooding (AP)

UTAH:

No FEMA-related stories

WYOMING:

Mayor Orr unhappy with Civic Center Commons oversight idea (Wyoming Tribune Eagle)

FEMA-RELATED STORIES
You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

40 Years Of Budgets Show Shifting National Priorities (Washington Post)

STORIES

COLORADO:

Officials suspect human cause in Boulder's Sunshine fire (Denver Post – Multiple Stories across Colorado regarding the Sunshine fire)

The fire has scorched 62 acres and is now 50 percent contained, officials said

http://www.denverpost.com/2017/03/19/sunshine-fire-boulder-updates/

by RJ Sangosti, The Denver Post

The Sunshine fire that has been burning west of Boulder since early Sunday morning appears to be human-caused, Boulder County sheriff's officials said late in the day. The fire has scorched 62 acres and is now 50 percent contained, officials said.

Cmdr. Mike Wagner said the general area where the fire started, at Sunshine Canyon Road and Timber Trail, has a network of unofficial "social" trails and is known to have "lots of transient campsites."

The Boulder Office of Emergency Management said firefighters plan to monitor the perimeter of the 62-acre fire and focus on protecting structures overnight. No structures have been damaged. Evacuation orders for residents of 426 homes remain in place.

Crews hope to contain the blaze fully on Monday.

Wagner said residents of the more than 400 homes evacuated early this morning were prohibited from returning at night, with high winds forecast around midnight. Re-evacuating at night is more difficult, he said.

“Things get exponentially more complex in the dark,” he said.

Fire officials plan to reassess the evacuations in the morning, with an update expected around 8 a.m., Wagner said.

“They’re hoping they can keep control of it overnight and really start mopping up tomorrow,” he said.

No homes or structures have been damaged or destroyed, officials said, and there have been no reported injuries.

The contained area is off the “heel” of the fire near Sunshine Canyon Drive and the Centennial Trailhead, officials said.

Onlookers gathered at a roadblock on Fourth Street and Mapleton Avenue just east of Sunshine Canyon and worried the fire would spread into town or that they would be evacuated. But Belle Star, a resident of Boulder for the past 17 years, said she was not so scared while taking shelter at East Boulder Community Center.

“I woke up to the sound of pounding at my front door at 5 a.m., and policemen were meticulous about making sure everybody in my condo was out,” she said, explaining that officials wrapped yellow caution tape around door handles indicating they had spoken with a resident. “I grabbed my sister and my cat and I left. Your priorities change when they want you to act fast.”

Star lives at Fourth and Pearl Streets and said she has experienced other natural disasters before, including the Boulder Flood in 2013 and several fires. She said her main concern was the wind picking up and spreading the fire.

“They might have it out by tonight, but you never know,” she said. “It all depends on the wind and which way it blows.”

Wagner said: “I think it really hinges on what the weather does tonight. … We’re not able to utilize aircraft at night, and evacuations are harder.”

Officials were concerned earlier in the day about gusting winds because the fire was within a mile of downtown.

The Boulder Office of Emergency Management placed more than 1,000 phone calls ordering predawn evacuations. The fire was reported about 2:30 a.m. Sunday. The calls resulted in 426 homes being evacuated.

Six aircraft dropped water and slurry, said Barb Halpin, a spokeswoman for the Boulder Office of Emergency Management. Residents were warned to avoid Wonderland Lake, where water refills were conducted.

Gov. John Hickenlooper authorized support from the Colorado National Guard, including equipment such as two UH-60 Black Hawk helicopters, one CH-47 Chinook helicopter and a refueling truck from the Colorado Army National Guard.

Aircraft from Buckley Air Force Base were assisting.

The OEM placed about 3,700 calls to those on pre-evacuation notice, telling residents to be prepared to leave. About 8 p.m., 836 homes remained on pre-evacuation.

Police were patrolling the area at night to address concerns about possible burglaries to evacuated homes.

Wagner said 250 state and local firefighters and 50 fire vehicles were involved throughout the day Sunday. One firefighter told Wagner that there was no moisture in the soil of the burn area and said it was like June.

The Boulder office's website experienced high traffic and intermittently dropped offline during the day. Users were asked to refresh often or get information on Twitter at @BoulderOEM or on Facebook.

Conditions are ripe for fire throughout the Front Range, said Bernie Meier, meteorologist with the National Weather Service in Boulder. Boulder had a record 80-degree high Saturday, breaking the record of 77 for March 18 set in 1907.

Winds were light, about 5 mph at 8:30 a.m., but by 11 a.m., the weather service was recording gusts of 40 mph, with sustained winds of 5 to 10 mph pushing the flames in the wooded area a couple of miles west of Pearl Street.

Humidty was low, at 14 percent.

The fire was first reported on the mountainside near Sunshine Canyon and Timber Lane when someone noticed "glowing on the mountain, and we sent deputies," said Gabi Boerkircher, a spokeswoman with the Boulder Office of Emergency Management.

Boulder County Public Health advises people to avoid outdoor activities if they can see or smell smoke.

Some residents in the pre-evacuation zone in the Highland neighborhood were watching the fire from Eben G. Fine Park and waiting to see if the wind picked up before packing.

Ben Egner said that although he hadn't packed anything yet, he has a list in his head that includes musical instruments, books, his hard drive and his dog, Petunia. He said he found out about the fire after getting a text from a neighbor early this morning.

For another neighbor, Beth Prehn, it was a phone call from a friend at 5:30 a.m. that alerted her. At about 7 a.m., she took a picture of flames lighting up Sunshine Canyon.

"That was scary," she said.

Now, looking at smoke instead of flames, "I feel a lot better," she said.

Officials closed Boulder Canyon Drive to all traffic.

The general evacuation perimeter is Poorman Road to the west, Fourth Street in the city of Boulder to the east, Boulder Canyon Drive to the south and Sunshine Canyon Drive to the north, according to the sheriff's office. Traffic is being rerouted on a portion of Boulder Canyon Drive at Sixth Avenue, down Arapahoe, and returning to Boulder Canyon Drive, the office of emergency management said.

Within the city of Boulder, the area of Fourth Street east to Broadway, and Mapleton Avenue to Canyon Boulevard are on pre-evacuation notice.

A Public Call Center line is open for non-emergency calls: 303-413-7730.

Residents ordered to evacuate can use the East Boulder Community Center, 5660 Sioux Drive.

Large animals can be evacuated to the Boulder County Fairgrounds. Small animals can be taken to the East Boulder Community Center, but residents are asked to bring crates if possible.



Sunshine fire timelapse from overlook off Boulder turnpike, near canyon
Denver Post

Multiple fire agencies responded, including the Boulder Rural Fire Protection District, the Boulder Fire Department, the Greeley Fire Department and the Sheriff's Fire Management Program. The Denver Fire Department has dispatched five engines and 21 workers.

Seth Frankel, who was warned that he and his family may need to evacuate, said he had packed up "generations of things" that can't be replaced and was ready to go if the air quality got worse.

He said smoke was pouring toward neighborhoods and many dead trees were combusting and sending black smoke into the air less than a half-mile from his home. But he and his wife, a Boulder native, and three daughters have dealt with fires and floods before.

"It's always alarming and always on your mind, but it's not an uncommon sensation around here," said Frankel, who has lived in Boulder for 20 years.

Frankel got word of the fire early Sunday from a neighbor who received a warning call, and he was outside with neighbors watching the flames and smoke. But he let his daughters, 9, 11 and 13, sleep in.

"It's still alarming, but there's no panic," Frankel said. "We will be long since gone when parents are no longer smiling."

The Associated Press contributed to this report.

Hundreds evacuated in Colorado as firefighters battle 'Sunshine Fire' (Fox 6 Now)

http://fox6now.com/2017/03/20/hundreds-evacuated-in-colorado-as-firefighters-battle-sunshine-fire/

Posted 6:07 am, March 20, 2017, by CNN Wire Service, Updated at 07:31AM, March 20, 2017

Firefighters worked into the night to contain a wildfire in the mountains west of Boulder, Colorado, that forced evacuations from hundreds of homes Sunday.

Against the backdrop of smoke billowing into the sky, firefighters managed to contain 50% of the relatively small but potentially destructive blaze by late Sunday evening.

With flames sizzling at the edge of Sunshine Canyon, crews planned to keep a close watch on the perimeter of the 62-acre fire overnight, the Boulder Office of Emergency Management (OEM) said.

"There was minimal spread within the footprint," Cmdr. Mike Wagner of the Boulder County Sheriff's Office said Sunday.

A total of 426 homes were evacuated before dawn Sunday, according to OEM officials. The mandatory evacuation remained in place into Monday morning.

"The (weather) forecast is a little concerning," Wagner said.

Unseasonable warm temperatures, breezy conditions and low humidity will increase the danger of the so-called Sunshine Fire going into Monday, the National Weather Service warns.

More than 250 personnel from across the Denver metropolitan worked to put out hotspots and flare-ups after the OEM received a 911 call about the fire shortly after midnight Sunday, officials said.

There have been no reports of property loss, structural damage or injuries, OEM officials said.

Authorities are investigating the cause of the fire.

CNN's Sheena Jones and Tina Burnside contributed to this report.

Crews responding to 3 separate fires in Park County (KOAA News)

http://www.koaa.com/story/34949791/crews-responding-to-3-separate-fires-in-park-county

Posted: Mar 19, 2017 6:12 PM MDT Sunday, March 19, 2017 8:12 PM EDT

-

Crews are responding to three separate fires in Park County, according to Park County officials on Twitter.

A 100+ acre fire is burning on a gun range west of Indian Mountain subdivision. A level one evacuation is in place for residents of the subdivision.

Another fire is burning near the McCurdy Trail in the Lost Park Wilderness Area.

Highway 9 is closed near Hartsel because of a hay truck fire.

This is a developing story and will be updated as more information becomes available.

Weld County fire burns more than 50 acres (Denver Post)

http://www.denverpost.com/2017/03/19/weld-county-fire-burns-more-than-50-acres/
By Hayley Sanchez | hsanchez@denverpost.com | The Denver Post
PUBLISHED: March 19, 2017 at 9:38 pm | UPDATED: March 19, 2017 at 11:43 pm

A fire was started Sunday evening between Lochbuie and Brighton from somebody shooting a gun.

The fire is estimated to have burned more than 50 acres in Weld County but is under control, said Natalie Ridderbos, Brighton Fire Rescue's spokeswoman.

The fire started around 6 p.m. at County Road 4 and Freestone Street. Fire crews were still working on hot spots at 7:30 p.m., but windy and dry conditions contributed to the fire's rapid spread.

No structures were threatened and no injuries have been reported, Ridderbos said. No suspects are currently under investigation.

Colorado group works to help cities cope with Aurora-like mass shootings (Denver Post)

The National Resiliency Center has compiled a blueprint of best practices to help manage the chaos that follows a mass shooting or disaster

http://www.denverpost.com/2017/03/20/national-resiliency-center-helps-cities-mass-shootings/
By Kirk Mitchell | kmitchell@denverpost.com | The Denver Post
March 20, 2017 at 12:01 am

In the 13 years between the Columbine High School massacre and the Aurora theater attack, mass shootings became so common in the U.S. that they were no longer unthinkable.

In 2016, there were 354 shootings in which four or more people were murdered, plus 49 school shootings and stabbings, said John Gay, chairman of the Aurora Key Community Response Team, who led the effort to create the National Resiliency Center.

When a crisis happens, from a mass shooting to natural disaster, most cities are unprepared and overwhelmed, Gay said. For example, when 12 people were killed and more than 70 injured at an Aurora movie theater in 2012, rescue efforts were hampered by traffic jams created as emergency responders rushed to the scene while moviegoers fled the theater multiplex.

Two days after the shooting, the idea for creating the National Resiliency Center was planted when Gay met with then-President Barack Obama and Gov. John Hickenlooper at the University of Colorado Hospital, where many of the injured were treated.

"(Obama and Hickenlooper) said we need to create something people can go to for information," Gay said.

So Gay worked with several emergency response experts to create the National Resiliency Center, a website that has compiled a blueprint of best practices to help manage the chaos.

The site provides action plans for incident commanders and other local, state and federal officials with detailed lists of recommendations for handling both the initial incident and its aftermath. Those recommendations range from setting up incident command centers to handling unrelenting media inquiries and managing government grants and charitable donations.

"The goal is to reduce the chaos and the NRC protocols address issues rarely found in community, state and federal disaster plans," the website says. "Following the NRC advice can help reduce crisis chaos, increase first responder efficiency and effectiveness and aid/assist the emotional recovery of victims, victim's families, first responders and the community."

Gay, a former aide to numerous presidents including Richard Nixon and Gerald Ford and a member of the Overseas Security Advisory Council, said unfortunately a resource like the NRC is crucial.

"These atrocities are not going to go away. This is something that I think America needs," Gay said. "It's the good that came from the bad."

People from around the U.S. and the world have clicked on the website, often in the aftermath of mass shootings, said Terrance Quinlan, a member of NRC's board of directors.

"(People) from hot spots for terrorism have been hitting our website including from United Kingdom, Germany, Italy, Canada and Austria," said Quinlan, an expert in the financial effects of mass shootings.

In the fall of 2014, NRC officials met numerous times with security officers from the Pepsi Center and Town Center at Aurora about installing Israeli-made "smart (light) poles," equipped with infrared and radiation-detecting cameras.

"On a professional level it's a great resource to have," Tim Christiansan, security supervisor at the Pepsi Center, said of the resiliency center.

The NRC was purposely created independently of government control and supervision so it's designed to be an instant resource if needed, said Joe Kahoe, a retired Air Force colonel and co-founder of NRC.

"We didn't want to be encumbered by government bureaucracy," he said.

After the theater shooting, federal guidelines kept Aurora disaster responders waiting for two weeks to get permission to see the database of 19,000 after-action plans that the Federal Emergency Management Agency has compiled from communities around the country.

"Who goes through 19,000 plans of response? Nobody has the time to do that," Kahoe said.

NRC volunteers have sifted through many of FEMA's records and identified the policies and tactics deemed the most beneficial, he said. "We've made it a collection of pearls that are worth diving for," Kahoe said.

Gay has mostly used his own money to create NRC, but more financial support is needed to reach its goals and potential, he said.

NRC needs a permanent researcher, an executive director to field questions from around the country and seek federal and private grants to keep it running full-time. At least $350,000 a year is needed to run the program properly, Kahoe said.

"We've got to create a funding stream," Kahoe said. "There is so much tragedy out there."

Although the NRC is set up to help with the initial disaster response, its recommendations also are designed to help communities in the aftermath.

Often, government disaster grants and charitable donations dry up before officials realize the full scope of community victimization.

That's why the NRC says it's critical for communities to also oversee charitable giving — both to prevent fraud and ensure donations are available to help over the long term.

When a mass shooting happens, those affected include not only the victims and their families, but also first-responders and community residents, Gay said.

All of them can experience debilitating psychological trauma, he said. Many victims with only tangential ties can't afford to pay $100 per hour or more for therapy, Gay said. Their needs are unmet and they are often forgotten, he said.

The NRC recommends designating a committee to handle charitable funds and suggests limiting them to just two — one for victims and their families and another for victims and victim services. And it recommends not distributing all the donations immediately because victims and their families often need support for years.

Fremont County Awarded Federal Funds Under The Emergency Food And Shelter National Board Program (Canon City Daily Record)

Canon City (CO) Daily Record, March 17, 2017

Fremont County has been awarded federal funds under the Emergency Food and Shelter National Board Program

Fremont County has been chosen to receive $14,827 to supplement emergency food and shelter programs in the county.

The selection was made by a national board that is chaired by the U.S. Department of Homeland Security's Federal Emergency Management Agency and consists of representatives from American Red Cross; Catholic Charities, USA; National Council of the Churches of Christ in the USA; The Jewish Federations of North America, The Salvation Army; and United Way Worldwide. The local board was charged to distribute funds appropriated by Congress to help expand the capacity of food and shelter programs in high-need areas around the country.

A local board made up of a Catholic organization; Ministerial Association; Council of Government; a Jewish organization; Salvation Army; and Loaves and Fishes Ministries will determine how the funds awarded to Fremont County are to be distributed among the emergency food and shelter programs run by local service agencies in the area. The local board is responsible for recommending agencies to receive these funds and any additional funds available under this phase of the program.

Under the terms of the grant from the national board, local agencies chosen to receive funds must: 1) be private voluntary non-profits or units of government, 2) be eligible to receive federal funds, 3) have an accounting system, 4) practice nondiscrimination, 5) have demonstrated the capability to deliver emergency food and/or shelter programs, and 6) if they are a private voluntary organization, they must have a voluntary board. Qualifying agencies are urged to apply.

Fremont County has distributed Emergency Food and Shelter funds previously with The Salvation Army, Loaves and Fishes Ministries, and the Cañon City Pregnancy Center.

Public or private voluntary agencies interested in applying for Emergency Food and Shelter Program funds must contact Deidra Clement at 241 Justice Center Road or call 719-275-0593 for an application. The deadline for applications to be received is April 7.

Big Thompson Canyon Road On Track To Reopen By Memorial Day (Associated Press)

March 18, 2017

FORT COLLINS, Colo. (AP) — Work to rebuild the highway through Big Thompson Canyon between Loveland and Estes Park is on schedule and highway officials expect to reopen the road by Memorial Day as planned.

U.S. Highway 34 has been closed since last fall while crews make long-term repairs.

Heavy flooding washed out the route in 2013. The road reopened but needed to be rebuilt.

The Fort Collins Coloradoan reports (http://noconow.co/2nPN2oP) road work will continue this summer and will affect tourist traffic on the winding canyon road.

Information from: Fort Collins Coloradoan, http://www.coloradoan.com

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Flooding – Know the Risks (Kiowa County Press)

http://kiowacountypress.net/content/flooding-%E2%80%93-know-risks

Saturday, March 18, 2017
Note: March 12 through 18 is Flood and Wildfire Safety Week in Colorado. This is the third article in a series on safety and preparedness. See Monday's article here.

Today's topic during this Flood Safety and Wildfire Awareness Week is flooding which develops in the time frame of longer than 6 hours to several days.

There have been some notable floods across the Centennial State:

In early June of 1921, a flood along the Arkansas River devastated the City of Pueblo. Scores of drownings occurred.

Around Memorial Day 1935 catastrophic flooding occurred on the Palmer Divide and the Colorado Springs area, causing millions of dollars of damage, and drowning at least 18 people.

The mid-June 1965 flood was widespread across eastern Colorado, taking several lives, and causing over 500 million dollars of damage.

During late April and early May of 1999, after up to 14 inches of rain fell, a major flood occurred across southeast Colorado from Colorado Springs to La Junta.

In 2013, the historic rains and floods in September caused over 3 billion dollars of damage, and took 9 lives.

In 2014, during May, multiple days of heavy rain and snow caused flooding across many areas of eastern Colorado.

Floods in Colorado can result from rapid snow melt, ice jams, a combination of snow melt and heavy rain, or just heavy rain.

National Weather Service forecast offices in Colorado closely collaborate with regional River Forecast Centers that monitor the Colorado River, South Platte River, Arkansas River, and Rio Grande to come to a consensus on the likelihood of flooding along rivers and large creeks.

The National Weather Service will discuss flood potential in hydrologic outlooks, daily hazardous weather outlooks, and in graphical weather stories on National Weather Service forecast office web sites.

Hydrologic statements may be issued for high flows that are within the banks of a river or large creek.

When flooding is possible on a river or large creek, a Flood Watch will be issued, meaning flooding is possible within the designated watch area.

When flooding is likely or occurring on a river or large creek, a Flood Warning will be issued, meaning flooding is expected or has been reported at designated river forecast points.

Flood Advisories may be issued for minor flooding on rivers and creeks.

An Areal Flood Warning may also be issued for flooding on a river or large creek in areas away from the designated river forecast points.

You can easily monitor potential flooding along rivers in Colorado and large creeks using the Advanced Hydrologic Prediction Service monitoring system. Information on this monitoring system can be obtained from this web site:

http://water.weather.gov/ahps

This monitoring system can be accessed on Colorado National Weather Service forecast office web sites by clicking Rivers and Lakes.

At each river and large creek gauge you can easily look at current and forecast water levels, flood categories, historic crests, and flood impacts. Probabilities of exceedance of certain water levels by week or over the long term are also available.

In general, there will be some time to prepare for river and large creek flooding, and emergency management in your area has plans in place to address flooding issues. Know these plans and how you should act accordingly when Flood Watches and Flood Warnings are in effect.

For more information on flood safety go to:

http://www.floodsafety.noaa.gov

The topic for tomorrow is life-threatening flooding which occurs very quickly, flash floods.

Colorado Flood Safety and Wildfire Awareness Week continues through this Saturday.

Wildfire in Colorado: Where Do You Get Information? (Kiowa County Press)

http://kiowacountypress.net/content/wildfire-colorado-where-do-you-get-information
Saturday, March 18, 2017
Note: March 12 through 18 is Flood and Wildfire Safety Week in Colorado. This is the fifth article in a series on safety and preparedness. See Wednesday's article here

A mixture of large and small wildfires occurred across Colorado in 2016. These fires were due to a mixture of dry conditions, combined with gusty, warm winds and, sometimes, careless fire prevention efforts. There were instances when residents had to be evacuated as a large wildfire moved toward larger communities. Would you know what to do to protect yourself and your

loved ones in this situation? In addition, if you live in an area that is susceptible to wildfires, how can you prepare yourself and your home?

To assist in your preparation for fire, the National Weather Service provides a variety of fire weather forecast products. Twice a day in Colorado, fire weather planning forecasts are made from each weather service office serving the state. A Fire Weather Watch may be issued if in the next 12 to 48 hours the forecast includes gusty winds of 25 mph or greater, relative humidities of less than 15 percent for at least three hours, dry lightning, or a combination of weather and fuel conditions that may make large wildfires possible. A Red Flag Warning will be issued if these same critical fire conditions are forecast within the next 24 hours.

Both Fire Weather Watches and Red Flag Warnings are issued in coordination with land management agencies. The fire weather spot program supports land management agencies for both prescribed burns and for wildfires. A fire weather spot forecast is a detailed forecast for a prescribed burn or an individual fire. For national type 2 or type 1 fires, the National Weather Service will detail an IMET (incident meteorologist), to a fire team to provide onsite weather support and detailed fire forecasts.

If you live in the wildland-urban interface there are a number of actions you can take to reduce your personal fire threat including reducing vegetation near the home and putting a fire-resistant roof on your home.

More information is available from your National Weather Service at:

http://www.nws.noaa.gov/om/fire

or from your Department of Homeland Security at:

http://www.ready.gov/wildfires.

When a wildfire occurs, there may be years of increased flood threat on the burn scar, as a healthy forest can handle an inch to inch and a half of rain with no flood risk. Once the litter and vegetation is removed by a wildfire, as little as a half inch of rain in a short period of time can cause serious, and possibly life threatening flooding.

Colorado Flood Safety and Wildfire Awareness Week continues through this Saturday.

Reopening of flood-damaged Boulder Falls remains slippery goal (Daily Camera)

Earlier projections on repairs proved overly optimistic

http://www.dailycamera.com/news/boulder/ci_30864042/reopening-flood-damaged-boulder-falls-remains-slippery-goal

By Charlie Brennan
Staff Writer

POSTED: 03/19/2017 09:00:00 AM MDT | UPDATED: ABOUT 10 HOURS AGO

It took exactly no time at all on a midweek visit to Boulder Falls to encounter two hikers emerging from the trail in violation of the ongoing post-flood closures there.

One of the two, a University of Colorado junior, said he and his brother had been climbing in the Lower Dream Canyon area, which can also be accessed by way of Sugarloaf Road and Upper Dream Canyon, but can be reached much more quickly by just breezing by the posted Boulder Falls closures. He said he and his brother are hardly alone in doing so.

"Every time I come up here, there's more and more people up here," said the CU student, who declined to give his name. "If I'm climbing here, I just figure I'm going to go in, and if I get hit with a $50 fine, I just figure that's the way it goes."

In terms of fixing the falls trail, it's not going very quickly.

Boulder open space staff last April expressed hopes that the popular Boulder Trail, heavily damaged by the September 2013 flood, could be open by the end of 2016.

In September, reassessment of the situation produced a projection that the reopening could come some time in 2017.

Now, however, comes the news that while advancing the rehab work at the destination 11 miles west of Boulder is very much on the front burner, there are no promises on when Boulder Falls will reopen — beyond the vow that, at some point, that day will come.

"I think it's premature to put a timeline on it," said Phillip Yates, spokesman for Boulder's Open Space and Mountain Parks department. "But as I said before, we're trying to expedite the process. We understand the impact on visitors, and we're working to complete repairs, to minimize extended closures into the future."

Yates said that in 2016, OSMP crews completed "significant" work on Boulder Falls. It included repairing the "landing platform" from which to view the falls, along with rock work in the area.

In normal times, the falls are closed anyway from Nov. 1 to May 1 to conduct scaling work in the area to reduce any danger posed by loose rocks.

As that work has been ongoing, Yates said, "They recognized the need for additional repair work, and that includes substantial work to gabions," which help minimize the incidents of falling rocks. Getting that done, Yates said, is going to take some time.

"This repair work will unfortunately lead to extended closures in the area," Yates said. "And we understand the draw Boulder Falls has for visitors, and we recognize that the area has seen long-term closures, which has decreased visitor experiences for many in our community.

"We recognize its importance, and are working diligently to reopen, while we also complete many other flood-related projects."

The same rugged environment that makes the nearby Dream Canyon environment attractive to climbers contributes to Boulder Falls being a challenge and potentially hazardous for repair crews.

"So as part of the design process, we're going to have to analyze the geology of the area and the potential repair methods. That is going to take some time to complete," Yates said. "It's also important to note that traditional trail building machines can't access this rugged area. And construction feasibility will determine much of the design."

Boulder officials elected to prioritize flood recovery projects that are reimbursable with federal dollars — which Boulder Falls is not.

There are numerous other competing flood recovery projects that remain, some of which were also candidates for federal dollars.

They include the NCAR-Bear Canyon Trail and a Mesa Trail section south of the National Center for Atmospheric Research, which should be completed by late June, repairing flood damage and enabling firefighting and search-and-rescue vehicles to regain access to difficult terrain.

Other remaining projects include the Chautauqua Trail and repairs to the Mesa and Shadow Canyon South trails near Eldorado Springs — likely to begin in late April — as well as repairs along the South Boulder Creek West, Lower Big Bluestem and the North and South Shanahan Fork trails.

As for those who might shrug off the fine incurred for forging on past the Boulder Falls closure signs, the penalty could be well north of $50.

Yates said the penalty imposed for violating the closure order at the falls, which would be determined by a judge, could be up to $1,000 and/or spell 90 days in jail.

MONTANA:

Flood advisories in effect in northeastern Montana (AP; picked up by several outlets)

http://www.greatfallstribune.com/story/news/local/2017/03/18/flood-advisories-effect-northeastern-montana/99360046/

Associated Press 4:25 p.m. MT March 18, 2017

POPLAR, Mont. (AP) — Flood warnings are in effect in northeastern Montana as winter snow pack continues to melt.

The National Weather Service says flooding occurred along the West and Middle Forks of the Poplar River on Friday and that water will work its way downstream toward Poplar over the weekend.

It says melting snow in the Little and Big Snowy Mountains south of Lewiston will also raise the water level in Flatwillow Creek over the weekend.

Overnight temperatures will still be cold enough to freeze water on roadways so drivers are urged to watch out for possible slick spots.

Flooding in Libby (ABC Fox Montana)

http://www.abcfoxmontana.com/story/34943003/flooding-in-libby

Posted: Mar 17, 2017 7:29 PM MDT
Friday, March 17, 2017 9:29 PM EDT
By Maren Siu

LIBBY - Education Way in Libby was closed Friday morning due to flooding.

Lincoln County Emergency Manager Lisa Oedewaldt tells ABCFOX that this type of flooding is not unusual for this time of the year. Usually rain and snow melt creates the floods.

There is minor damage to some homes in Libby, but city and county crews are working fast to put the water back into the canals.

Wet western Montana winter may delay fire season (KBZK TV, Bozeman)

http://www.kbzk.com/story/34945262/wet-western-montana-winter-may-delay-fire-season

Posted: Mar 18, 2017 4:10 PM MDT
By MTN News

-

MISSOULA - It has been a wet year for western Montana with the National Weather Service announcing that Missoula has experienced its wettest year since 1996.

The Missoula Valley has seen 9.36" of precipitation since the beginning of the water year in October about double the 4" to 5" sees at this time of year.

"This is all very good. Even if we do have a dry early summer, the plants are going to have a lot of moisture built up so it's definitely a good start to the fire season," explained National Weather Service meteorologist Ryan Leach.

While the wet winter will help keep fires down the excess water can also pose a threat. As the snow in higher elevations melt and runs into rivers there is always the possibility of flooding.

One are the National Weather Service is closely watching for flooding is along the Montana/Idaho border. Some flooding has already been seen in the Bitterroot Valley as well as north of Missoula.

NORTH DAKOTA:

Fargo, Grand Forks officials pitch water projects to lawmakers (Bismarck Tribune)

John Hageman Forum News Service
Mar 16, 2017

Elected officials from Red River Valley cities and across North Dakota made their pitch for water project funding during a state legislative budget hearing Thursday.

Amid the waterfall of testimony was a presentation from Fargo City Commissioner Tony Grindberg, who advocated for continued state support of the massive flood diversion project in Fargo-Moorhead. The estimated $2.2 billion project is expected to receive about a fourth of its funding — $570 million — from the state of North Dakota.

Thursday's Senate Appropriations Committee hearing was on the State Water Commission budget, which includes almost $300 million for new projects in the coming two-year funding cycle. Fargo officials are seeking $66.5 million from the state in the 2017-19 biennium, and Grindberg said he was confident funding would come through.

Construction on the Fargo flood project has started, although it has attracted a lawsuit from a group representing upstream property owners. Last month, a federal judge agreed to bring the U.S. Army Corps of Engineers back into the suit.

"The Corps is committed to this project," Col. Sam Calkins of the corps told legislators Thursday. "We're confident we can continue construction and that we'll eventually or ultimately prevail in that litigation."

Like Grindberg, Grand Forks City Council member Ken Vein was optimistic Thursday that the remaining state funds for the city's new water treatment plant will be in place. That project has already started construction.

The state has provided $35 million in the last two funding cycles for the project, and last session lawmakers passed a bill stating their intent to provide the final $30 million in the 2017-19 biennium.

"I feel very confident either way we'll get it," Vein said.

Vein, who is also chairman of the Garrison Diversion Conservancy District, presented lawmakers with plans for a pipeline from the Missouri River to supplement water supplies in central and eastern North Dakota, a project known as the Red River Water Supply Project. He asked for $30 million to keep it on track.

Conceptual design was completed last year, and preliminary design is now in progress, Vein said.

"With continued growth and industrial development, the Red River Valley Water Supply Project will mitigate against drought conditions that could be devastating, foster economic development by meeting municipal, rural and industrial water demands and promote environmental sustainability," Vein said in prepared remarks.

The Senate Appropriations Committee didn't take any immediate action on the budget bill Thursday.

Judge combines 4 tribal suits over Dakota Access pipeline (Bismarck Tribune)

By BLAKE NICHOLSON Associated Press (Bismarck Tribune)
March 17, 2017

BISMARCK, N.D. (AP) — A judge has combined lawsuits filed by four Sioux tribes over the Dakota Access pipeline, streamlining the drawn-out legal battle over the $3.8 billion project to move North Dakota oil to a distribution point in Illinois.

Meanwhile, a federal appeals court could decide this weekend on a tribal request to stop oil from flowing through the pipeline next week.

The neighboring Standing Rock and Cheyenne River tribes teamed up last summer in the main lawsuit against Texas-based pipeline developer Energy Transfer Partners and the U.S. Army Corps of Engineers, the federal agency that granted pipeline permits at more than 200 water crossings, including the Missouri River. The Yankton Sioux also sued last summer, and the Oglala Sioux filed its own lawsuit last month.

The four Dakotas tribes make essentially the same claims: The pipeline threatens cultural sites and the Missouri, from which they get water for drinking and religious practices.

"Consolidating the cases would conserve judicial resources, allow the parties to save time and expense, and enable the court and parties to schedule matters more efficiently," Corps attorneys said in asking U.S. District Judge James Boasberg in Washington, D.C., to lump the cases together.

None of the tribes or ETP objected to the move, and Boasberg granted the request Thursday.

The legal battle lingers even as ETP prepares to launch pipeline operations. Crews are wrapping up final pipe work under Lake Oahe, a Missouri River reservoir in North Dakota, and the company has said oil could flow as early as Monday.

Cheyenne River attorney Nicole Ducheneaux asked the U.S. Court of Appeals for the District of Columbia Circuit to issue by Monday an "emergency" prohibition of any oil flow, until it resolves an appeal of Boasberg's recent decision to not stop final construction. Boasberg also rejected a separate tribal request to stop oil from flowing.

The tribes' appeal rests on the religion argument. Boasberg has said he doesn't think the tribes have a strong case on appeal. He also said ETP would be "substantially harmed" by a delay in pipeline operations.

Both the company and Corps filed court documents Friday opposing the tribal request. The appeals court will make a decision sometime after Friday evening, the deadline it set for attorneys to submit written arguments.

Residents along Mouse River could see flood insurance spike

(MyNDNow.com)
By: Cynthia Hill MyNDNow.com
Posted: Mar 18, 2017 01:20 AM CDT

A re-working of FEMA's flood risk maps could take effect in about two years. FEMA is re-working its maps that determine what properties are within the 100-year flood plane.

Using Minot as an example, the dike system provides protection to about 5-thousand CFS of river flow, but FEMA is likely to say the new 100-year flood level is closer to 10-thousand CFS.

That will move thousands of homes that qualified for the lowest flood insurance rates into a much higher rate class. City Engineer Lance Meyer says the city has been working with FEMA to reduce the impact of the changes as little as possible.

"We've been doing everything we can to help push the process out a little bit to give us more time to construct flood control but also to make sure whatever maps do get developed have the best data available," says Lance Meyer, Minot City Engineer.

The new flood maps are not expected to be in effect for about two years. Meyer says after they take effect, properties protected as the city improves its levee and flood-wall system will again qualify for the lower insurance rates.

SOUTH DAKOTA:

A look at a trial over Missouri River flooding (AP)

Mar 15, 2017 4:13 PM MDT
By The Associated Press (Posted by NEWSCENTER1)

KANSAS CITY, Mo. (AP) - A look at the civil trial over the U.S. Army Corps' stewardship of the Missouri River and landowner claims that the agency's decisions have contributed to devastating floods.

WHAT'S ALLEGED: Several hundred landowners named in the class-action lawsuit filed in 2014 allege in the U.S. Court of Federal Claims that the Army Corps has deemphasized flood control along the Missouri and put more emphasis on habitat restoration, leading to more flooding. The plaintiffs also insist the Corps unconstitutionally deprived them of their land, essentially taking it without compensation.

THE CORPS' STANCE: The federal government argues in court filings that authorities never promised to stop all flooding along the 2,341-mile-long Missouri, and that the Corps' providing habitat for endangered species didn't exacerbate the inundation six years ago. Officials have said the Corps balances flood control and an array of other potential uses of the river, including shipping, recreation and hydropower.

THE TRIAL: The trial began March 6 in Kansas City, Missouri, and will shift in late April to Washington, D.C., with no decision expected at least until summer, at the earliest.

THE JUDGE: The presiding judge - Nancy Firestone, a former federal prosecutor appointed to the claims court in 1998 - served in the late 1990s as a deputy assistant attorney general in the U.S. Department of Justice's environment and natural resources division after holding top positions in the Environmental Protection Agency, including as a judge of its environmental appeals board. She has Missouri connections, having gotten a bachelor's degree from St. Louis' Washington University and a law degree from the University of Missouri at Kansas City.

UTAH:

No FEMA-related stories

WYOMING:

Mayor Orr unhappy with Civic Center Commons oversight idea (Wyoming Tribune Eagle)

- By James Chilton, Wyoming Tribune Eagle

Mar 19, 2017



Cheyenne's Mayor Marian Orr speaks during a press conference Nov. 29, 2016, at the Cheyenne Public Safety Center. Blaine McCartney/Wyoming Tribune Eagle

CHEYENNE – Mayor Marian Orr has registered her displeasure about the City Council's introduction last week of an ordinance to create a management team to oversee construction of the city's Civic Center Commons project.

Civic Center Commons, which is set to replace a parking lot just west of the Cheyenne Municipal Building at 2101 O'Neil Ave., has long been lauded as a "crown jewel" of the ongoing West Edge initiative, which seeks to provide infrastructure improvements and quality-of-life amenities to the western portion of downtown Cheyenne.

Of the three West Edge projects designed to date – including Pumphouse Park and the 26th Street stormwater interceptor – Civic Center Commons is the most ambitious. In addition to providing a large space to contain stormwater during a major rain event, the commons also includes many park features conducive to live music events, food truck rallies and other such events.

Design for the project is underway, and funding has been secured through a 2012 sixth-penny sales tax initiative, and grants from the Federal Emergency Management Agency and the State Loan and Investment Board, as well as support from the Wyoming Business Council.

But several council members have been dissatisfied with the pace of work on the project, particularly since December, when the council passed a resolution seeking its "expedient completion." Thus, on March 13, council vice president Mark Rinne introduced an ordinance to create a management team

to oversee the project and provide regular reports to the council about how things are proceeding – or why they aren't.

But Mayor Orr has taken umbrage at the ordinance, and made as much clear March 15 when she sent an email to the rest of the City Council. In it, Orr says the city has already made substantial progress on West Edge projects in the weeks since she took office, and she questioned Rinne's decision to craft his ordinance without first expressing his concerns to her.

"Had Dr. Rinne come to me with his concerns and asked for such a team and communication, I certainly would have listened and worked with him, as I have with all of you, so far to date," Orr wrote. "To communicate to me through ordinance is not only inappropriate, it only serves to appear as political grandstanding, and does nothing to foster a working relationship between the mayor and council, but rather the adverse."

Attempts to reach Rinne for a response Friday and Saturday were unsuccessful. But in an interview Friday, Orr sought to elaborate her problems with the ordinance, as well as her concerns with Civic Center Commons.

"I've had several discussions with most of the council members regarding Civic Center Commons, keeping them aware of the timeline we're working with," Orr said. "I've also let them know there was a delay in getting an independent engineering review; it turned out to be more difficult to find an entity that didn't have a previous relationship with the engineering firms in the community."

Orr said her biggest concern with the project is that its most talked-up features – an amphitheater, park space and public open space – appear to have taken precedence over its stormwater drainage aspects, which are actually what has driven much of the grant funding secured to date.

"It's not that Engineering or my office are opposed to a park, but when you have discussions about it, very seldom does anybody talk about drainage," Orr said. "And when it comes to using FEMA funds, we need to be good stewards; we need to make sure that we do right by FEMA. One of the concerns that I raised in a meeting in looking at our grant application, we were specifically asked if there were any known contaminants in the area, and we replied 'no.' But anyone that knows this area knows full well there are contaminants, so at the very least we should have answered 'unknown.'"

Orr acknowledged FEMA has already reviewed the project twice and approved it both times based on its proposed stormwater flood controls. But she wonders whether that opinion may change now that a new administration is overseeing FEMA in Washington, D.C.

Orr noted the $3 million grant approved by FEMA for the project will expire Sept. 30, and she has doubts as to whether the city could realistically have construction done by then. More likely, she believes the city will have to request a one-year extension of the grant – its second so far – by July 1.

"I am concerned with a very big unknown within the FEMA administration, with it being a new administration, what the likelihood of (approving) that request for an extension would be," Orr said. "There's no guarantee they will grant the extension this time, and should we proceed with the project without knowing full well we do, indeed, have that extension? Where does that leave us with funding the project without FEMA funds?"

All that said, Orr is still only one voice when it comes to City Council ordinances, and with six co-sponsors out of nine council members, she may be outnumbered when it comes to whether the oversight group happens.

FEMA-RELATED STORIES:

40 Years Of Budgets Show Shifting National Priorities (Washington Post)

By Gabriel Florit, Kim Soffen, Aaron Steckelberg And Tim Meko

March 17, 2017

In his first budget proposal, released Thursday, President Trump proposed drastic cuts to many of the nation's agencies and programs to offset nearly $60 billion in additional spending on defense, a down payment on the border wall and funding for school choice programs, among other things. If enacted, the proposal would be one of the most dramatic redistributions of funds since Reagan's military build-up during the Cold War in the early 1980s.

Discretionary spending limits, the only portion of the budget addressed by this proposal, are set by congressional budget resolutions. Mandatory spending, by contrast, is set by other laws and primarily includes interest on the debt and entitlement programs such as Social Security and Medicare. Here, the funding level is often determined by the size of the benefit and the eligible population.

Infrastructure

Proposed 2018 budget: $114.4B

The Agriculture Department, Interior Department, Energy Department, Transportation Department and the Department of Housing and Urban Development control much of the nation's vast infrastructure.

These departments, especially HUD, lost significant funding as Reagan took office. His promise to shrink the size of the government included significant reductions in federal housing funds.

Much of the other fluctuation in these budgets has been driven by political and financial turmoil. In the late 1970s, increased oil production in response to the energy crisis caused a spike in the Energy Department's budget. A few years later, in the early 1980s, the "farm crisis" — a period of falling crop prices and lower incomes for farmers — led to large payouts from the Agriculture Department.

More recently, as part of the stimulus following the 2008 financial crisis, many of these departments, most notably Transportation, received large budget increases. Note that though the 2009 budget was set during the Bush administration, the stimulus itself was negotiated and passed by President Obama.

With Trump's 2018 proposal, all of these departments are looking at cuts of between 12 and 21 percent. Much of this money would be taken out of research and climate-change-related programs.

The economy

Proposed 2018 budget: $19B

The Treasury Department and Commerce Department are concerned with the government's finances and the country's economic growth, respectively. Their funding levels are largely driven by the state of the economy and government budgets.

Treasury saw a large bump in spending in the mid 1970s because the department loaned more than $1.3 billion (nearly $6 billion in today's dollars) to New York City. The city government at the time was facing bankruptcy.

The departments' funding similarly responds to nationwide financial crises; after the 2008 housing bubble burst, the Commerce Department got increased funding to respond. Financial agencies outside these departments, such as the FDIC, which insures Americans' bank deposits, also saw spending spikes during that period (though that money is funded by insurance premiums, not Congress).

With Trump's 2018 proposal, Treasury would see a modest 4 percent cut, largely aimed at the IRS's funding. Commerce would see a steeper 16 percent decrease, cutting from many programs that aim to help communities struggling with the effects of climate change or manufacturing automation.

Foreign relations and law enforcement

Proposed 2018 budget: $98.9B

The State Department, the Department of Homeland Security and the Department of Justice, which focus on diplomacy and law enforcement, have grown almost continuously for the past 40 years.

A major disruption came after the 2001 terrorist attacks, after which the Department of Homeland Security was founded. (The number you're seeing before that date is the funding allocated to all the then-independent agencies that are now part of DHS, like Immigration and Customs Enforcement.) From 2001 to 2002, the funding for these programs — which primarily focus on counterterrorism and immigration — nearly doubled. A smaller bump occurred in 2006 as part of FEMA's response to Hurricane Katrina.

Trump's budget proposal would make substantial changes to some of these departments. DHS is one of three departments that would see an increase in funding, which would be put toward building a wall along the southern border and increasing the number of agents throughout the immigration enforcement system, among other things. In total, the department's funding would increase by 7 percent.

The State Department, on the other hand, would face deeper cuts than any other department, losing 29 percent of its budget. In line with Trump's "America first" agenda, the budget proposal slashed foreign military and humanitarian aid, as well as funding to the United Nations and other international organizations. The proposal would inflict milder cuts on the Justice Department — 4 percent — and shifts money away from prison construction toward counterterrorism and the system for removing undocumented immigrants from the country.

Health, education and labor

Proposed 2018 budget: $216.5B

The Department of Veterans Affairs, the Education Department, the Department of Health and Human Services and the Labor Department have among the largest discretionary budgets in the government.

Like many other portions of the budget, they often fluctuate with the state of the economy. The biggest spikes came after the 2008 financial crisis. Between 2008 and 2009, the Labor Department's budget went up by about 50 percent to fund more job training programs as part of the stimulus. The stimulus also increased HHS's budget by half, funding everything from the promotion of medical technology to Head Start.

In Trump's proposal, these departments fared quite differently. VA would see a 6 percent increase in funding to ease the backlog in the veterans' health-care system. The Education Department is slated for a 14 percent decrease overall but an increase in funding for programs related to school choice. The Labor Department and HHS budgets would decrease by 21 and 18 percent, respectively.

Independent agencies

Proposed 2018 budget: $66.9B

The agencies' functions vary as widely as their budgets, and they have faced many different peaks and troughs over the past 40 years.

The 2009 stimulus had one of the biggest impacts. The budget for the General Services Administration, which helps the other agencies function, went up nearly twentyfold between 2008 and 2009, in part funding the construction and repair of government buildings around the country. The Environmental Protection Agency's budget nearly doubled, and in the aggregate, agency budgets went up by about a third.

But many of those increases have since been reversed, and a number of these agencies face cuts in Trump's budget. The EPA would take one of the hardest hits, losing 31 percent of its 2017 budget and a fifth of its workforce. These cuts are aimed at the agency's research programs, particularly with regard to climate change and environmental cleanup programs. The proposal dictates smaller decreases for other agencies, like the Small Business Administration and NASA, which would receive 5 and 1 percent budget cuts, respectively.

Defense

Proposed 2018 budget: $639B

Defense has long been one of the largest items in the budget, this year comprising nearly 50 percent of discretionary spending. The largest driver of defense spending over the past 40 years has been war.

Spending increased by nearly two-thirds during the Reagan administration as he built up the military during the Cold War. It increased drastically again during the Bush administration, largely to fund the military operations in Afghanistan and Iraq.

Trump's proposal would increase defense spending by 9 percent, about $52 billion. That's a bit larger than what Obama was projecting for 2018, and smaller than what congressional defense hawks wanted, according to Todd Harrison, the director of Defense Budget Analysis at the Center for Strategic and International Studies. "It's in line with what you're expecting to see," he said.

Whether the changes in Trump's proposal actually get enacted is an open question. Congress writes the budget and typically makes changes to the president's proposal. Last year, lawmakers disregarded Obama's budget altogether.

Despite a Republican-controlled Congress, Trump's cuts may not pass so easily. Republican lawmakers, including Sen. Rob Portman (Ohio), Sen. Dean Heller (Nev.) and Rep. Leonard Lance (N.J.), have criticized portions of the budget. And Sen. Lindsey O. Graham (R-S.C.) did not mince words after seeing a blueprint: "It's dead on arrival."

Sources: Center for a Responsible Federal Budget, The Office of Management and Budget

Note: Figures have been adjusted for inflation.

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Sent: 16 Mar 2017 16:48:53 +0000
To: R8 All Hands
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Feather, Glenda;(b)(6) @gmail.com';(b)(6) @gmail.com';Stephens, Holly;Castel, Joseph-
Richard;Bonza, Dale;Coley, Robert
Subject: FEMA Region 8 clips for Thursday 3-16
Attachments: R8 Clips 03-16-17.docx

Region VIII Clips
Thursday, March 16, 2017

ANALYSIS

A number of stories today about flood concerns, flood preparedness and flood insurance.

- *Colorado:* The Colorado Springs City Council unanimously passed a measure that will require reviews and approvals by geohazard and other technical specialists for any building in areas that might be affected by landslides… A TV station and the Red Cross will give a "hometown hero" award to former Colorado Springs storm water manager Tim Mitros. The story and a comment by Mitros refer to his work after disasters, including possible aid from FEMA for those affected by landslides. … A red flag warning has been issued for the northeastern plains… A Denver TV station reported on a $1.1 million PA grant to Larimer County for the 2013 floods. The story also mentions FEMA's housing aid after the floods…. A story on fish hatcheries in northern Colorado notes that, for one in particular, this is the first year back in full operation after damage from the 2013 floods.
- *Montana:* The Bozeman *Daily Chronicle* had one of several stories across the state about flood concerns. … A Missoula radio station carried a story on flood preparedness and flood insurance.
- *North Dakota:* A trial has begun in Kansas City over whether the Corps of Engineers mismanaged outflows along the Missouri River in 2011, thus causing damage to landowners in five states… Two-way traffic, aided by pilot cars, will begin Friday along the highway that was closed during the pipeline protests. A bridge on the road was

damaged by fire during the protests…. A federal judge refused to issue an injunction to stop the flow of oil beginning next week. Court battles continue over use of the pipeline and allegations of police misconduct… Cleanup at the protest camps has finished… A public meeting about flood risk was held at Valley City last night. Officials from NWS, North Dakota DES and FEMA took part. A video link to the one-hour meeting is included below…. The Minot *Daily News* ran a story about a public meeting Tuesday on flood preparedness and flood insurance. The meeting was hosted by the City of Minot and included the North Dakota Water Conservation Board and FEMA representatives.

- *South Dakota:* A story on flood preparedness and flood insurance in the Aberdeen *American News* includes comments from three FEMA sources.
- *Utah:* Sanpete Valley Hospital will hold a mass casualty drill next Tuesday that includes the Utah DES and eight other agencies… The current rebuilding and expansion project at the Salt Lake City airport should be complete in 2020. However, at projected growth rates, another new expansion may need to start in 2025.
- *Wyoming:* The BLM announced plans for three prescribed burns this spring.
- *Other FEMA-related stories:* Proposed budget cuts to HUD would eliminate the Community Development Block grants, which have played a role in disaster recovery.

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Rebuilt SLC International Airport may be too small just 5 years after it opens (Salt Lake Tribune)

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BLM to conduct prescribed fire projects this spring (Northern Wyoming Daily News)

FEMA-RELATED STORIES

You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

Trump Budget Asks For $6 Billion In HUD Cuts, Drops Development Grants (Washington Post)

STORIES

COLORADO:

ON UNSOLID GROUND: City Council unanimously passes new landslide law for Colorado Springs (Colorado Springs Gazette)

By: Billie Stanton Anleu

March 14, 2017 Updated: Today at 6:12 am

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Rick Sisco stands at the now edge of his property and describes what his yard looked like prior to the landslide. His home is pictured in the Skyway neighborhood on Friday, April 8, 2016. Photo by Stacie Scott, The Gazette.

The Colorado Springs City Council passed a new landslides ordinance Tuesday in a 9-0 vote - the exact opposite of the Planning Commission's unanimous vote rejecting the proposed law.

The stunning victory came as sweet relief for Councilmen Don Knight and Tom Strand, who worked on the ordinance since May, meeting eight times with stakeholders ranging from the Colorado Geological Survey to the local Housing & Building Association, and from geotechnical engineers to developers and people living in landslide zones.

Knight and Strand had proposed improving the law after landslides pulverized at least 28 homes since July 2015.

Planning commissioners had called it "a solution in search of a problem" and a measure that would stigmatize the half of the city west of Interstate 25.

"Our beloved Planning Commission thinks this only deals with folks on the west side of I-25. It affects both sides," Strand told his council colleagues. "This law answers issues, problems we've had and makes it stronger and better. We wanted to ensure that property owners knew they were going to be secure in how their foundations were set up. This is something the time has now come for us to deal with."

The new law ensures that the Colorado Geological Survey (CGS) will not only review site plans and make recommendations in advance, but also will get to see whether the builder implemented such safeguards when revising the plans.

"Initially, CGS professionals were involved at the beginning, would make recommendations and were left out at the end of the process," Strand said.

Dave Munger, executive director of the Council of Neighbors and Organizations, urged the council to enact the measure.

"We particularly thank Don Knight and Tom Strand for their leadership on this," Munger said, "closing the circle, if you will, and reminding us all that good practice should be safe practice. There are some pretty dramatic examples of how the past didn't work so well."

The new law also will:

- Require builders to get geological hazard reports on land within the hillside or streamside overlay zones, within a 100-year floodplain or within any landslide susceptibility or mine subsidence map published by the CGS. Also subject to that requirement are lands with unstable or potentially unstable slopes or slopes exceeding 33 percent; a history of a landfill or uncontrolled or undocumented fill activity, and other geologic hazards that cannot be mitigated through standard foundation and construction practices.

The existing law didn't require geohazard reports on individual lots, but the new law will, Planning Director Peter Wysocki said.

- The final geohazard study and the site's related plans - master, concept, development, preliminary plat, final plat or residential site plan - will be reviewed again by the CGS or an independent professional. If an applicant disagrees with recommendations by the city staff and CGS, then a panel of three geologists, geotechnical engineers or professional engineers could evaluate the geohazard study, too, and those findings will be added to staff recommendations. The applicant will pay for that panel.

- An improvement location certificate, showing that the construction matches the plans, must be submitted before the city will issue a certificate of occupancy.

"For everybody in the community involved ... we thought we were going to get it done in one month," Knight said. "It took a little longer, but it was worth the education."

Hometown Hero: Community Service Award winner Tim Mitros (Fox 21 News)

http://fox21news.com/2017/03/15/hometown-hero-community-service-award-winner-tim-mitros/
By Taylor Bishop Published: March 15, 2017, 10:09 pm

COLORADO SPRINGS, Colo. — FOX21 and the American Red Cross are partnering once again to honor some "Hometown Heroes," ordinary people who have done something extraordinary for their community or the lives of others.

We're highlighting this year's Community Service Award winner – a former city storm water manager who has continued to go above and beyond for the citizens of Colorado Springs.

When natural disasters occur, Tim Mitros comes running.

"This is a bad thing that's happened to people and they don't expect it to happen to them so they need somebody out there who can provide a positive aspect to what is happening and give them some, hope," said Mitros.

From post-Waldo Canyon Fire flooding to landslide victims, because of Mitros' relentless work, many minds have been put at ease.

Mitros said, "For the landslide victims, it's working with FEMA trying to find funding to try to make their lives whole again or at least as close to whole as I can make it."

When most jobs end at 5 p.m., Mitros is still on the clock-giving guidance and a lot of times just listening to people.

"He has that personal touch," said Pat Chappell. "The extra touch, the caring touch, you know those soft skills and the reassurance."

Chappell is the one who nominated him for the award.

"What's really neat about him, he's very shy and a humble type of a gentleman and he does so much and really doesn't want any credit for anything you know because that's just him," said Chappell.

But it's something in Mitros that makes his dedication to the community more than a job. It's having been through tragedy himself that allows him to really see and feel what others might be dealing with.

"My mom committed suicide, my sister also committed suicide, my dad and my mom had a very nasty divorce and you know I tried to learn from that." Mitros said, "When it happened it's like, 'what's wrong, what's going on?' and so I've tried to learn what kind of emotions people have and try to be positive from it instead of taking it as a bad thing is learning from it."

Hometown Heroes will get their awards March 16 during a dinner at The Broadmoor.

Sunny, breezy and dry weather prompts red flag warning on northeastern plains (Denver Post)

http://www.denverpost.com/2017/03/16/northeastern-plains-red-flag-warning/

Thursday's weather forecast for northeast Colorado calling for temperatures 20 degrees above normal, wind gusts up to 30 mph and low humidity trigger another late winter red flag warning.

Westerly winds could gust up to 33 mph on the northeastern plains, according to the forecast by the National Weather Service in Boulder. Relative humidity is expected to be 15 percent or lower.

The high temperature in Denver will be around 76 degrees, according to the NWS.

The Front Range is under a fire weather watch and the northeastern plains are under a red flag warning.

"Critical fire weather conditions will develop once again across the eastern plains by late Thursday morning," according to the NWS red flag warning for northeast Colorado.

Although temperatures on Friday will be a bit cooler than the past several days in Denver, the expected high of near 66 degrees is still above normal temperatures in the mid 50s for this time of the year.

The weekend will be balmy with high temperatures about 80 on Saturday and Sunday.

The first part of next week will be in the upper 60s, according to the NWS.

Larimer County receives FEMA grant for historic 2013 flooding (9 News)

http://www.9news.com/weather/larimer-county-receives-fema-grant-for-historic-2013-flooding/422915441 - video link

KUSA - It's been nearly four years since historic flooding devastated parts of Colorado, and repairs are still going on.

Now, some of those impacted will get a little help from FEMA.

The agency is giving Larimer County a grant worth $1.1 million.

The money will go toward repairing roads and bridges damaged during the September 2013 floods. Experts called the devastation a 1,000-year rain and 100-year flood.

In all, the waters caused about $4 billion worth of damage across 24 counties.

Nearly 2,000 people were rescued during that week, and nearly 19,000 homes were damaged. Ten people were killed.

FEMA provided temporary housing for displaced families.

It has also funded housing in areas where mobile homes were hit by the flood waters.

Hatcheries help spawn interest in fishing (Loveland Reporter Herald)

http://www.reporterherald.com/lifestyles/recreation/ci_30857627/hatcheries-help-spawn-interest-fishing

Bellvue-Watson hatchery back in operation after 2013 flood

By Michelle Vendegna
Reporter-Herald Staff Writer

POSTED: 03/15/2017 03:37:29 PM MDT

Northern Colorado Fish Hatcheries

•**Bellvue-Watson Fish Hatchery**, 4936 W. County Road 52E, Bellvue.

Site offers informational and educational material, self-guided tour, and food dispensers to feed the fish.

•**Poudre Rearing Unit,** 38195 Poudre Canyon, Bellvue.

Site offers educational material, self-guided tours with guided tours by appointment, food dispensers to feed the fish, nearby wildlife such as Bighorn sheep, deer, and elk.

Call ahead to any hatchery you plan to visit for hours and additional information. Visit the Colorado Parks and Wildlife website for a map and more information, cpw.state.co.us

It seems almost by magic that fish appear in lakes throughout Colorado, almost. But 16 fish hatcheries around the state of Colorado work year-round to ensure you can get that perfect catch and you can see how at no cost.

"Most of our hatcheries are self-guided tours. Here we are open daily from 8 a.m. to 3 p.m.," said Jesse Faue, hatchery supervisor for Bellvue-Watson Fish Hatchery, 4936 W. County Road 52E, Bellvue.

There are 18 hatcheries on Colorado Parks and Wildlife map, (cpw.state.co.us/learn/Pages/Hatcheries.aspx). The experiences vary with some having guided tours or visitors centers while other may have just signs.

"This year is going to be our first year fully back up and running," Faue said of Bellvue-Watson. The hatchery was heavily damaged in the September 2013 flood. The crew has been repairing pipelines in addition to needed infrastructure upgrades for normal wear and tear.

"Currently, the big thing to do is to come out, get some feed, walk around, feed the fish, see the fish and see one of their state fish hatcheries," he said of what visitors can expect. Fish food is 25 cents for a hand full from the gumball machines around the raceway area. The funds go to purchasing the food.

"There is always somebody around somewhere. (Visitors) are welcome to find someone on the crew here or stop by the office with questions," he said.

Faue is anticipating getting new signs and adding a small visitors center this summer.

"Really, we are kind of hoping to have a big reopening in June in the sense of new signs and a visitors center, something more for people to see, learn and do," he said.

The visitors center will be a small building with displays created by the crew at the hatchery, focused on fishing.

"One of the staff members is building a mock rivers kind of demo so they can see what the ecosystem of the river looks like. We have a whole bunch of flies in it so we can show people different types of flies to use in different seasons in the Poudre River and in this area. A lot of neat things coming with the visitors center," he said.

The Bellvue-Watson Fish Hatchery raises about 300,000 rainbow trout a year. It takes about 14 to 16 months to get the fish up to catchable size, 10 inches. The hatchery stocks fishing spots in Wellington, Fort Collins, Loveland, Longmont and as far east as Jumbo Reservoir in Julesberg and Hale Ponds in South Republican State Wildlife Area, formerly known as Bonny Lake State Park, near the Colorado/Kansas border.

"We cover a lot of country up in this area," Faue said.

Large groups, such as students from the local schools, can call ahead to arrange a guided tour of the hatchery.

"We give them a short presentation on what we do at the fish hatchery. We walk them through our job of getting fish eggs all the way to what we consider a catchable trout, a 10-inch trout, and that process we go through to get them that size," Faue said.

The hatcheries are not funded by general tax sales but by the sale of hunting and fishing licenses. Faue said if the public likes the mission, they can support the hatcheries by getting outdoors.

"The best way people can help is buy a fishing license and take a kid fishing," he said.

Faue said the hatchery offers kids a chance to see what the outdoors has to offer.

"I grew up hunting and fishing and it's something we're not seeing as much anymore. When people come out here, kids always leave excited about having fed the fish, seeing the fish and then wanting to go fishing," he said. Visitors can take a right as they leave the facility and head straight into Watson Lake State Wildlife Area to continue the experience.

"It's a great way for the entire family to come out, spend some time outdoors," he said. Faue said there is no age limit for the fun of feeding fish. He's been a supervisor for seven years at the facility and has never gotten bored of it.

"It's the one thing," he said, "no matter how your day is going, you can go out and feed fish and it's always exciting."

Michelle Vendegna: 970-699-5407, vendegnam@reporterherald.com

MONTANA:

Flood advisory issued for southwestern Montana (Bozeman Daily Chronicle; one of several stories across MT about flood concerns)

http://www.bozemandailychronicle.com/news/flood-advisory-issued-for-southwestern-montana/article_feafc47d-8ac0-544e-aaeb-d0d38f6d0850.html

- By Chronicle Staff

The National Weather Service has issued a flood advisory for melting snow across southwestern Montana until 10:15 Friday morning.

The advisory covers Broadwater, Beaverhead, Madison, Jefferson and northern Gallatin counties.

As of Wednesday afternoon, no flooding had been reported in Gallatin County, according to the county road department.

With daytime temperatures in the 50s and 60s and nighttime, snow is melting quickly at elevations below 8,000 feet, which may lead to localized flooding around small streams and creeks, the weather service said.

Need For Missoula County Flood Insurance Could Be Soon, Peak Runoff Expected In April Or May (KVGO-FM, Missoula)

March 15, 2017

Missoula usually sees peak runoff from snowmelt around May, but Missoula County's Floodplain Administrator, Todd Klietz warns that it can come much sooner, and that folks should be ready.

"The very earliest in the year that we've had peak runoff, that's been recorded anyway, has been April 13th, and why that's important to get the word out to people now is that if they wish to have FEMA flood insurance… and basically anyone in Missoula County can get FEMA flood insurance… they need to know that there is a 30 day wait limit once they get their policy," Kleitz said.

Kleitz said flooding can be a big issue along the Bitterroot, but there are even places in the city of Missoula get hit hard.

"The first place that we see it is in the Tower Street area, just west of Reserve Street," Kleitz said. "The reason we see it there is that prior to 1949, there wasn't a levy that was along that area. We had floods in 1948 that flooded the Orchard Homes area and after those floods, the Corps of Engineers built a levy, but the levy stops just east of Tower Street."

According to Kleitz, Montanans have a rather low rate of flood insurance, compared to those in other states. He says that FEMA flood insurance doesn't just come from issues in the flood plain and that things like street melt can also be covered.

NORTH DAKOTA:

Army Corps on trial over Missouri River flooding complaint (Associated Press/Bismarck Tribune)

Mar 16, 2017

KANSAS CITY, Mo. (AP) — The U.S. Army Corps of Engineers is defending itself at trial against more than 300 farmers and other landowners who say the agency's management of the Missouri River has contributed to major flooding in five states, most notably 2011 flooding that caused billions of dollars in damage.

The lawsuit, filed in 2014 in the U.S. Court of Federal Claims, argues that the Corps has altered its practices regarding the river's water storage, release and flow management since the mid-2000s, de-emphasizing flood control while pushing to restore habitat for endangered species. It contends that the Corps unconstitutionally deprived plaintiffs of their land, essentially taking it without compensation.

Although the lawsuit doesn't specify the amount of damages being sought, the landowners' attorney has said it could exceed $250 million. The plaintiffs believe case law is on their side, given a U.S. Supreme Court ruling in December 2012 that the federal government is not automatically exempt from paying for damage caused by temporary flooding from its dams. The case, which isn't expected to be decided until this summer at the earliest, reflects longstanding debate about the Corps' management of the river as the agency tries to strike a balance among competing interests — landowners, the barge industry, water suppliers,

hydropower utilities, environmentalists and recreational users of the waterway, notably on upriver reservoirs. Regulating the river's levels comes through the Corps' management of discharges from a half-dozen large upstream reservoirs, each meant to hold snowmelt and other excess water during the spring before the Corps gradually releases it the rest of the year.

In court filings, the federal government argues that authorities never promised to stop all flooding along the 2,341-mile-long Missouri River, which flows into the Mississippi River north of St. Louis. The Corps, which has said it is required by Congress and the courts to act in the river's best interest, maintains that providing habitat for endangered species didn't exacerbate the inundation six years ago — a claim echoed by a top Midwest volunteer for the Sierra Club.

The trial started last week. The Corps typically does not comment publicly about litigation, and it didn't reply to recent messages by The Associated Press.

Outside experts who reviewed the 2011 flooding said the Corps did the best it could in dealing with record amounts of water that flowed into the river after unusually heavy spring rain in Montana and North Dakota.

That flooding lasted more than three months after the Corps began releasing massive amounts of water from swollen upstream reservoirs. It overwhelmed levees, carved gouges up to 50 feet deep, created sand dunes 15-feet-high, deposited debris in farmers' fields and devastated hundreds of thousands of acres of mostly farmland in South Dakota, Nebraska, Iowa, Kansas and Missouri.

Caroline Pufalt, the St. Louis-based chairwoman of the Sierra Club's Missouri River Network, said blaming the Corps on environmental grounds is "a red herring," and that while the Corps may make decisions in the interest of habitat, such actions are rare.

Pufalt said the Corps did the best it could six years ago, given "unusual circumstances" involving so much water in the Missouri River system.

"These floods were kind of unavoidable," Pufalt said. "The folks who have filed this lawsuit mistakenly think there's some magic thing the Corps can do, given the current river, that will take away their flood risk, and that's not going to happen."
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The Latest: Highway shut down by protests to see traffic (NewsCenter 1 TV)

Posted March 15, 2017
BISMARCK, N.D. (AP) (NewsCenter1TV)

Officials are re-establishing traffic on a stretch of highway in North Dakota that has been closed for months due to protests against the Dakota Access oil pipeline.

The stretch of state Highway 1806 was shut down in late October after a bridge was damaged by fires during protests.

Authorities say that beginning at noon Friday, two-way traffic will be allowed with the assistance of pilot cars that will escort vehicles over a 9-mile stretch. That system will continue until authorities deem it safe to resume normal traffic without pilot cars.

The stretch of highway is near the area where pipeline opponents camped for months. The camps were cleared out and shut down late last month in advance of spring flooding season.

Judge won't stop oil from flowing through disputed pipeline (AP)

Wednesday, 15 Mar 2017 | 10:49 AM ET The Associated Press (CNBC)

BISMARCK, N.D. (AP) — A judge refused to head off the imminent flow of oil in the disputed Dakota Access pipeline, likely clearing the way for operations to begin next week.

U.S. District Judge James Boasberg in Washington, D.C., denied a request by the Standing Rock and Cheyenne River Sioux tribes to stop oil from flowing while the tribes appeal his decision last week allowing pipeline construction to finish.

"The critical factor here is Cheyenne River's lack of likelihood of success on the merits ... plaintiff does not have a strong case on appeal," Boasberg said in his ruling Tuesday.

Cheyenne River attorney Nicole Ducheneaux did not immediately respond to a request for comment Wednesday.

Texas-based pipeline developer Energy Transfer Partners is finishing up pipeline work beneath Lake Oahe, a Missouri River reservoir in North Dakota and the last piece of construction on the 1,200-mile, $3.8 billion pipeline to move North Dakota oil to a distribution point in Illinois. The tribes maintain an oil pipeline under the lake they consider sacred violates their religious rights, but Boasberg says the argument was made too late and is of questionable merit.

The judge also said ETP would be "substantially harmed" by a delay, as it prepares to move oil through the pipeline as early as Monday.

Both ETP and the Army Corps of Engineers had objected to the tribes' latest attempt to halt the project, with Corps attorneys saying in court documents that President Donald Trump "has expressly determined that the pipeline is 'in the national interest.'"

The Corps last month granted ETP permission to lay pipe under the reservoir that it manages for the federal government, after Trump in January urged the project's completion after months of legal delays.

The court battle isn't over. Aside from the tribes' appeal to the U.S. Court of Appeals for the District of Columbia Circuit on the religion argument, the tribes in their lawsuit before Boasberg are arguing for more environmental study and for the government to recognize the tribes' treaty rights to clean water.

The Corps on Tuesday filed its opposition to those requests, saying the agency's permission for the Lake Oahe work "represents the culmination of over two years of detailed environmental analysis and extensive consultation with (the tribes)."

The pipeline saga also has endured for months outside of the courtroom, with about 750 arrests of protesters in southern North Dakota from August through February. Amnesty International USA on Wednesday said it has documented numerous instances of excessive force or intimidation by police and excessive criminal charges.

The organization in a letter asks Republican Gov. Doug Burgum and Attorney General Wayne Stenehjem to drop or consider dropping charges against protesters, review police practices and open independent investigations into several specific cases.

Police have defended their practices, which have included water sprays, tear gas and non-lethal ammunition such as rubber bullets. Police have said some protesters were violent and took part in riots, and that some targeted police both professionally and personally.

The Latest: Cleanup finished at pipeline protest camps (KTIV)

BISMARCK, N.D. (AP) – KTIV.com

The Army Corps of Engineers has finished cleaning up three Dakota Access pipeline protest camps that were on federal land in North Dakota.

The Corps hired a contractor after the main camp and two others were cleared out and shut down late last month in advance of the spring flooding season. They'd operated since last spring and at times held thousands of pipeline opponents.

Corps Capt. Ryan Hignight says a total of 835 industrial-size trash bins were filled and removed in the operation that wrapped up late last week. That doesn't include materials such as lumber and propane tanks that were set aside for reuse or recycling.

The total cost of the operation hasn't been tallied yet, but the Corps has estimated that it could cost taxpayers more than $1.1 million.

Flood Preparedness Meeting In Valley City (NewsDakota.com)



March 15, 2017
By: Steve Urness (NewsDakota.com)

VALLEY CITY, N.D. (NewsDakota.com) – Local, state and federal officials held a meeting in Valley City to help citizens learn more about the flood outlook and steps residents and businesses can take to reduce their flood risk this spring.

The meeting included representatives from the National Weather Service, North Dakota Emergency Services and Senior Floodplain Specialist Barbara Fitzpatrick from the Federal Emergency Management Administration in Valley City.

To learn more about your flood risk and the facts about flood insurance coverage talk to your local insurance agent or log onto www.fema.gov/r8flood

National Weather Service Forecast Greg Gust said the probability of the Sheyenne River in Valley City reaching 12 feet is at 50 percent.

Gust and other federal and state officials discussed flood risk issues and gave tips to residents during a Town Hall meeting on March 15th. To view the entire meeting click on the video available below.

Time To Buy (Minot Daily News)

March 15, 2017

Even with the current low flood risk from the Souris River, federal, state and local officials are encouraging residents to purchase flood insurance to protect themselves from any overland flooding or unforeseen events.

Representatives of the Federal Emergency Management Agency, North Dakota State Water Commission and City of Minot held an outreach meeting Tuesday to provide residents with information on flood risk and flood insurance and to answer questions.

FEMA and state statistics show the numbers of state residents who have purchased insurance is down 12 percent from a year ago. It is down an estimated 50 percent from the 2009 to 2011 period, when various areas in the state faced floods and potential floods. Nearly 20,000 North Dakotans carried flood insurance during that peak.

A 1 percent chance of a flood exists every year for residents in the 100-year flood plain. Households are at a greater risk of flood than fire, according to FEMA.

A flood event from overland water flow needs only to affect two or more property owners in the city or two acres in the rural area to be eligible for a claim. Spring snowmelt and heavy rainfall can lead to a flood event.

"A quarter of all claims are outside the 100-year flood plain," said Brian Hvinden, external affairs specialist with FEMA's Denver office.

"It really can happen in any location."

For that reason, residents across Minot and not just those in the valley or any known flood plain are urged to consider purchasing insurance. There is a 30-day wait after buying insurance before a policy becomes effective.

A preferred risk premium, which most Minot residents would qualify for, is about $475 a year for the maximum coverage of $250,000 on the structure and $100,000 on contents. People can insure for less coverage at a lower premium.

Should another large-scale flood event occur, any uninsured property that previously received FEMA assistance in 2011 would be severely limited in the amount of FEMA assistance available again.

Minot City Manager Tom Barry is urging homeowners to buy insurance and lock in the current premium. FEMA is revising Minot's flood plain, which is expected to put many homes now in a preferred risk zone into a higher risk flood zone and drastically increase premiums. Preliminary maps for Minot and Ward County should be released in June and public open houses will be held over the summer.

The city and county can appeal any objections to the map details through the fall of 2017. However, the city and county already are working with FEMA and the North Dakota State Water Commission to refine the preliminary map before it is released. Adoption of a final map is tentatively scheduled for the summer of 2018.

Flood plain maps show flood elevations, flood zones and flood plain boundaries. The current flood plain map was produced 15 years ago.

Homeowners who lock in their premiums now will be grandfathered so when premiums are adjusted, future increases will be limited to no more than 18 percent a year. Premiums then will gradually increase until reaching the new premium set for that rate class. Homeowners also will be able to transfer their grandfathering if they sell their houses.

Barry said the city is participating in the federal Community Rating System, which sets out a number of steps that local governments can take in flood plain management. Minot already has made strides that have produced a 10 percent discount for residents.

Residents who want to know more about flood insurance and how they can mitigate their flood risk can find information online at fema.gov/r8flood.

SOUTH DAKOTA:

Being Out Of Floodplain Doesn't Mean Homes Won't Flood (Aberdeen News)

By Kathy Jensen

March 15, 2017

A Federal Emergency Management Agency official has a tip for people who might be contemplating flood insurance.

"When the flood's coming in your backyard, it's too late," said Brian Hvinden, FEMA external affairs specialist.

Flood insurance doesn't go into effect until 30 days after it's been purchased, Hvinden said. In other words, now is not a bad time to consider a policy.

He traveled through the region last week, talking about the importance of flood insurance.

There was a 7 percent decrease in flood insurance policies for South Dakota and a 12 percent decrease for North Dakota between December 2015 and December 2016, Hvinden said.

"We always see spikes after a major event," Hvinden said.

But after a few years go by, people start thinking they don't need it.

Flood insurance doesn't cover only large events, said Tom Birney, National Flood Insurance Program state specialist.

Aberdeen hasn't had large-scale flooding since 2007, but there have been flooded streets and backyards since, Birney said.

To file a claim, there needs to be flooding on 2 acres or two properties, he said.

"If my property and the street or my neighbor's property floods, I can file a claim," Birney said.

A common issue is that most homeowner's insurance doesn't cover flooding, he said.

With flood insurance, the building — foundation, electrical, plumbing, structural integrity — as well as its contents are covered, Birney said.

Property owners don't have to live in a floodplain to buy flood insurance, he said. About 30 percent of claims come from outside high-risk zones.

Food maps aren't always accurate, said Jerry DeFelice, FEMA external affairs specialist for the South Dakota area.

The maps aren't updated annually because it takes quite a bit of work to make the maps, DeFelice said. So new developments, such as a parking lot or building, can increase runoff and change the flood risk, he said.

Aberdeen has a higher-than-average number of policyholders compared to the rest of the state, Birney said.

Currently, about 197 properties in Aberdeen are covered by flood insurance. Within Brown County, there are 257 policyholders.

Aberdeen residents are able to buy government-backed flood insurance because the city became a member of the National Flood Insurance Program in 1978.

When a town joins, it is offered disaster assistance by FEMA and flood insurance. In exchange, the community promises to manage its floodplain and build in areas that are reasonably safe for development.

Since becoming a member, there have been 326 claims made by flood insurance policyholders in Aberdeen.

Rates are set by the federal government based on geographic data and risks. Properties in areas of higher risk have higher premiums.

The average premium in Aberdeen is about $895 a year, Birney said.

Those in low-risk areas can get a preferred risk policy with maximum coverage for about $600 a year, he said.

Since the rates are set by the government, the cost of a policy should be equitable no matter the insurer, Birney said.

UTAH:

Sanpete Valley Hospital, local agencies to hold disaster drill (Daily Herald)

MT. PLEASANT — In an effort to evaluate local resources and knowledge relating to disaster management, Sanpete Valley Hospital's trauma services has initiated a mass casualty drill to take place Tuesday, March 21.

This drill is in partnership with local and state agencies including MT. Pleasant Police Department, Sanpete County Sherriff's Office, Snow College, Utah Department of Emergency Management, Utah Highway Patrol, North Sanpete Ambulance Association, Ephraim Ambulance, Manti Ambulance, and North Sanpete High School.

Starting at NSHS, the drill will consist of a mock shooting to incorporate an interagency response with law enforcement and emergency medical services (EMS) on the scene, and then continue to more definitive medical care as "victims" are transported to Sanpete Valley Hospital.

"This drill will serve as a vital piece in our community efforts to prepare and train – should such an event actually occur," explains Dr. Dave Krzymowski, SVH Trauma Director/Surgeon. "After meeting with representatives from each of the participating agencies, we can see that this will be highly beneficial to each organization, as well as the community we serve."

Rebuilt SLC International Airport may be too small just 5 years after it opens

(Salt Lake Tribune)

By LEE DAVIDSON | The Salt Lake Tribune

Officials say more construction could be in order not long after the projected 2020 completion.

The massive $2.9 billion project to rebuild Salt Lake City International Airport may handle projected air traffic for as little as five years after completion — until 2025.

That information emerged Wednesday in an exchange at the Airport Advisory Board.

"Will it take care of us for 25 years?" state Sen. Karen Mayne, a board member, wanted to know about the reconstruction project's ability to handle growth.

"It could be five," said Kevin Robins, the interim airport director.

That surprisingly short projected shelf life is due to growing demand for more flights. Robins said that, with the additional gates and flights airlines are now seeking, the airport may need to build all of a planned second, northern concourse.

About 15 extra gates there have been penciled in, and officials may decide in a year or two whether to add them and "keep building. Those 15 gates are sort of a relief valve," said Terminal Redevelopment Project Director Mike Williams.

Robins said, "If we build the entire north concourse, that starts putting enough pressure on the baggage-handling system that we may have to look at actually expanding the terminal to accommodate the additional gates."

With an eye to the far-distant future, Mayne asked if the airport has enough land to build even more than the two now-planned, parallel concourses.

Robins said master plans include a third concourse eventually. The airport also has enough land "that if we needed to, we could add a fourth concourse. It would require us to move a lot of the north support facilities."

Robins said master plans are "trying to address, 'What is the future if we continue the growth we are experiencing now?' "

He added that the airport at present "continues to face the good problem of growing traffic and not enough rooms at the inn to be able to accommodate" it.

Among new service that he said has been announced are Delta flights beginning in December to Maui, Hawaii, and Tampa, Fla. "We did have Maui service before, and it's coming back in December."

He also said United recently started new nonstop service to Newark, N.J. Southwest has added service to Burbank and Sacramento, Calif.
And internationally, KLM later this month will restart nonstop service to Amsterdam.
"All good problems to have," Robins said. "We continue to make contingency plans."
The current $2.9 billion project aims to build a new terminal and two new parallel concourses by 2020, replacing all current terminals and concourses.
The current airport was designed to handle about 10 million passengers a year, and is now seeing more than twice that number.
The airport's proposed 2018 budget, unveiled Wednesday, includes $744 million of planned work that year on the new terminals and concourses.
So far, most construction for the terminal redevelopment project has been underground and largely out of sight. That's about to change.
Construction of foundations and installation of miles of utilities have progressed to the point that structural steel is about to spring skyward.
"We are starting to get out of the ground," Williams reported.
He said structural steel will start to be erected next month at the new south concourse, "so you will really start to see the buildings come up out of the ground."
He added, "Work is going on everywhere on the 135-acre site right now. It's pretty amazing."
Roads around the airport continue to be rerouted as needed for construction.
Williams said construction of a new "park-and-wait" lot has been completed, and traffic will likely be shifted to it in May — when the current park-and-wait lot will be removed for redevelopment work.
The new 2018 budget for the airport, which is subject to approval by the Salt Lake City Council, also proposes to spend $103.9 million on airport operations. It includes a 3 percent increase in wages for airport employees.
About 40 percent of projected operation revenues come from "landside" concessions such as maintaining and fueling aircraft; 38 percent from airline fees; 12 percent from terminal concessions; with the rest from leases, aviation tax, general aviation fees and other sources.

WYOMING:

BLM to conduct prescribed fire projects this spring (Northern Wyoming Daily News)

March 15, 2017
WORLAND — The Bureau of Land Management Wind River/Bighorn Basin District tentatively plans to conduct three prescribed fire projects within the Cody and Worland field office areas this spring. These projects are contingent upon fuel moisture and weather meeting optimal treatment conditions.
“The prescribed fire projects are designed to enhance rangeland and woodland vegetation health, improve wildlife habitat, increase livestock and wildlife forage and improve distribution, and reduce the hazardous build-up of fuels which lessens the probability of a severe wildfire,” said BLM Fire Management Officer Rich Zimmerlee.
The projects may be conducted March through May in the following locations:
Hooligan Springs: Approximately 100 acres of juniper, timber litter and mountain shrub in ponderosa pine understory will be targeted. The project area is located in the Renner Wildlife Habitat Management Area 10 miles north of Ten Sleep.

Medicine Lodge: Mosaic sagebrush burning, encroaching conifer reduction and aspen enhancement are the goals on a little more than 200 acres of BLM and Wyoming Game and Fish Department (WGFD) lands. The 3,000-acre project area lies approximately 5 miles northeast of Hyattville in the Medicine Lodge Wildlife Habitat Management Area.
West Slope: Approximately 200 acres of juniper will be targeted to continue long-term improvements of big game habitat conditions in cooperation with WGFD. This project is 15 miles east of Lovell on the west slope of the Bighorn Mountains, northwest of Cottonwood Canyon.
Removing overstory shrubs and trees through the use of prescribed fire opens up areas for grasses and forbs and provides for new growth with more palatable and nutritious forage. Removing understory vegetation through prescribed fire reduces encroaching, competing species and clears the area of heavy fuels, which improves the overall health of the area.
For more information, contact Rance Neighbors at 307-347-5100 or Tim Haas at 307-578-5938. For more information on prescribed fire and vegetation management on public lands, visit http://www.forestsandrangelands.gov/.

FEMA-RELATED STORIES:

Trump Budget Asks For $6 Billion In HUD Cuts, Drops Development Grants (Washington Post)

By Jose A. Delreal
Washington Post, March 16, 2017

The Trump administration will slash more than $6 billion in funding for the Department of Housing and Urban Development and eliminate community development grants, according to a budget outline obtained by The Washington Post.

The Office of Management and Budget's "blueprint" for 2018 puts HUD's funding at $40.7 billion, down from $46.9 billion in 2017, representing a cut of 13.2 percent. The funding levels detailed in the OMB's blueprint closely match preliminary numbers The Post first reported last week.

Throughout the OMB budget outline, the administration emphasizes its belief that local governments should be the ones primarily responsible for urban-development programs.

"State and local governments are better positioned to serve their communities based on local needs and priorities," the budget document says.

The budget proposal would eliminate funding for the Community Development Block Grant program, which supports a wide range of urban-renewal projects and received $3 billion in funding for 2017. The decades-old grant program has been used to fund such projects as the Lafitte Greenway in New Orleans and to support Hurricane Sandy recovery efforts.

Also recommended for elimination are the HOME Investment Partnerships Program, the Choice Neighborhoods program and the Self-help Homeownership Opportunity Program. Cutting those programs — which help redevelop low-income neighborhoods and encourage homeownership — will shave an additional $1.1 billion from HUD.

Experts and advocates have said the overall reduction in HUD's budget will put tremendous strain on the nation's housing authorities, which manage public housing and rely heavily on federal funding.

A more detailed budget document that The Post obtained last week showed significant cuts to maintenance funds, which would probably exacerbate a backlog of repair work nationwide.

Although the administration appears to have maintained funding levels for subsidized-housing programs, local housing authorities might be forced to scale back the number of housing vouchers because of inflation and rising housing costs. That could mean a loss of up to 200,000 subsidized housing vouchers in coming years, according to flat-funding estimates.

Region VIII Clips
Thursday, March 16, 2017

ANALYSIS

A number of stories today about flood concerns, flood preparedness and flood insurance.

- *Colorado:* The Colorado Springs City Council unanimously passed a measure that will require reviews and approvals by geohazard and other technical specialists for any building in areas that might be affected by landslides… A TV station and the Red Cross will give a "hometown hero" award to former Colorado Springs storm water manager Tim Mitros. The story and a comment by Mitros refer to his work after disasters, including possible aid from FEMA for those affected by landslides. … A red flag warning has been issued for the northeastern plains… A Denver TV station reported on a $1.1 million PA grant to Larimer County for the 2013 floods. The story also mentions FEMA's housing aid after the floods…. A story on fish hatcheries in northern Colorado notes that, for one in particular, this is the first year back in full operation after damage from the 2013 floods.
- *Montana:* The Bozeman *Daily Chronicle* had one of several stories across the state about flood concerns. … A Missoula radio station carried a story on flood preparedness and flood insurance.
- *North Dakota:* A trial has begun in Kansas City over whether the Corps of Engineers mismanaged outflows along the Missouri River in 2011, thus causing damage to landowners in five states… Two-way traffic, aided by pilot cars, will begin Friday along the highway that was closed during the pipeline protests. A bridge on the road was damaged by fire during the protests…. A federal judge refused to issue an injunction to stop the flow of oil beginning next week. Court battles continue over use of the pipeline and allegations of police misconduct… Cleanup at the protest camps has finished… A public meeting about flood risk was held at Valley City last night. Officials from NWS, North Dakota DES and FEMA took part. A video link to the one-hour meeting is included below…. The Minot *Daily News* ran a story about a public meeting Tuesday on flood preparedness and flood insurance. The meeting was hosted by the City of Minot and included the North Dakota Water Conservation Board and FEMA representatives.
- *South Dakota:* A story on flood preparedness and flood insurance in the Aberdeen *American News* includes comments from three FEMA sources.
- *Utah:* Sanpete Valley Hospital will hold a mass casualty drill next Tuesday that includes the Utah DES and eight other agencies… The current rebuilding and expansion project at the Salt Lake City airport should be complete in 2020. However, at projected growth rates, another new expansion may need to start in 2025.
- *Wyoming:* The BLM announced plans for three prescribed burns this spring.
- *Other FEMA-related stories:* Proposed budget cuts to HUD would eliminate the Community Development Block grants, which have played a role in disaster recovery.

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Hatcheries help spawn interest in fishing (Loveland Reporter Herald)

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Flood advisory issued for southwestern Montana (Bozeman Daily Chronicle; one of several stories across MT about flood concerns)

Need For Missoula County Flood Insurance Could Be Soon, Peak Runoff Expected In April Or May (KVGO-FM, Missoula)

NORTH DAKOTA

Army Corps on trial over Missouri River flooding complaint (Associated Press/Bismarck Tribune)

The Latest: Highway shut down by protests to see traffic (NewsCenter 1 TV)

Judge won't stop oil from flowing through disputed pipeline (AP)

The Latest: Cleanup finished at pipeline protest camps (KTIV)

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Rebuilt SLC International Airport may be too small just 5 years after it opens (Salt Lake Tribune)

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BLM to conduct prescribed fire projects this spring (Northern Wyoming Daily News)

FEMA-RELATED STORIES
You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

Trump Budget Asks For $6 Billion In HUD Cuts, Drops Development Grants (Washington Post)

STORIES

COLORADO:

ON UNSOLID GROUND: City Council unanimously passes new landslide law for Colorado Springs (Colorado Springs Gazette)

By: Billie Stanton Anleu

March 14, 2017 Updated: Today at 6:12 am

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Rick Sisco stands at the now edge of his property and describes what his yard looked like prior to the landslide. His home is pictured in the Skyway neighborhood on Friday, April 8, 2016. Photo by Stacie Scott, The Gazette.

The Colorado Springs City Council passed a new landslides ordinance Tuesday in a 9-0 vote - the exact opposite of the Planning Commission's unanimous vote rejecting the proposed law.

The stunning victory came as sweet relief for Councilmen Don Knight and Tom Strand, who worked on the ordinance since May, meeting eight times with stakeholders ranging from the Colorado Geological Survey to the local Housing & Building Association, and from geotechnical engineers to developers and people living in landslide zones.

Knight and Strand had proposed improving the law after landslides pulverized at least 28 homes since July 2015.

Planning commissioners had called it "a solution in search of a problem" and a measure that would stigmatize the half of the city west of Interstate 25.

"Our beloved Planning Commission thinks this only deals with folks on the west side of I-25. It affects both sides," Strand told his council colleagues. "This law answers issues, problems we've had and makes it stronger and better. We wanted to ensure that property owners knew they were going to be secure in how their foundations were set up. This is something the time has now come for us to deal with."

The new law ensures that the Colorado Geological Survey (CGS) will not only review site plans and make recommendations in advance, but also will get to see whether the builder implemented such safeguards when revising the plans.

"Initially, CGS professionals were involved at the beginning, would make recommendations and were left out at the end of the process," Strand said.

Dave Munger, executive director of the Council of Neighbors and Organizations, urged the council to enact the measure.

"We particularly thank Don Knight and Tom Strand for their leadership on this," Munger said, "closing the circle, if you will, and reminding us all that good practice should be safe practice. There are some pretty dramatic examples of how the past didn't work so well."

The new law also will:

- Require builders to get geological hazard reports on land within the hillside or streamside overlay zones, within a 100-year floodplain or within any landslide susceptibility or mine subsidence map published by the CGS. Also subject to that requirement are lands with unstable or potentially unstable slopes or slopes exceeding 33 percent; a history of a landfill or uncontrolled or undocumented fill activity, and other geologic hazards that cannot be mitigated through standard foundation and construction practices.

The existing law didn't require geohazard reports on individual lots, but the new law will, Planning Director Peter Wysocki said.

- The final geohazard study and the site's related plans - master, concept, development, preliminary plat, final plat or residential site plan - will be reviewed again by the CGS or an independent professional. If an applicant disagrees with recommendations by the city staff and CGS, then a panel of three geologists, geotechnical engineers or professional engineers could evaluate the geohazard study, too, and those findings will be added to staff recommendations. The applicant will pay for that panel.

- An improvement location certificate, showing that the construction matches the plans, must be submitted before the city will issue a certificate of occupancy.

"For everybody in the community involved ... we thought we were going to get it done in one month," Knight said. "It took a little longer, but it was worth the education."

Hometown Hero: Community Service Award winner Tim Mitros (Fox 21 News)

http://fox21news.com/2017/03/15/hometown-hero-community-service-award-winner-tim-mitros/
By Taylor Bishop Published: March 15, 2017, 10:09 pm

COLORADO SPRINGS, Colo. — FOX21 and the American Red Cross are partnering once again to honor some "Hometown Heroes," ordinary people who have done something extraordinary for their community or the lives of others.

We're highlighting this year's Community Service Award winner – a former city storm water manager who has continued to go above and beyond for the citizens of Colorado Springs.

When natural disasters occur, Tim Mitros comes running.

"This is a bad thing that's happened to people and they don't expect it to happen to them so they need somebody out there who can provide a positive aspect to what is happening and give them some, hope," said Mitros.

From post-Waldo Canyon Fire flooding to landslide victims, because of Mitros' relentless work, many minds have been put at ease.

Mitros said, "For the landslide victims, it's working with FEMA trying to find funding to try to make their lives whole again or at least as close to whole as I can make it."

When most jobs end at 5 p.m., Mitros is still on the clock-giving guidance and a lot of times just listening to people.

"He has that personal touch," said Pat Chappell. "The extra touch, the caring touch, you know those soft skills and the reassurance."

Chappell is the one who nominated him for the award.

"What's really neat about him, he's very shy and a humble type of a gentleman and he does so much and really doesn't want any credit for anything you know because that's just him," said Chappell.

But it's something in Mitros that makes his dedication to the community more than a job. It's having been through tragedy himself that allows him to really see and feel what others might be dealing with.

"My mom committed suicide, my sister also committed suicide, my dad and my mom had a very nasty divorce and you know I tried to learn from that." Mitros said, "When it happened it's like, 'what's wrong, what's going on?' and so I've tried to learn what kind of emotions people have and try to be positive from it instead of taking it as a bad thing is learning from it."

Hometown Heroes will get their awards March 16 during a dinner at The Broadmoor.

Sunny, breezy and dry weather prompts red flag warning on northeastern plains (Denver Post)

http://www.denverpost.com/2017/03/16/northeastern-plains-red-flag-warning/

Thursday's weather forecast for northeast Colorado calling for temperatures 20 degrees above normal, wind gusts up to 30 mph and low humidity trigger another late winter red flag warning.

Westerly winds could gust up to 33 mph on the northeastern plains, according to the forecast by the National Weather Service in Boulder. Relative humidity is expected to be 15 percent or lower.

The high temperature in Denver will be around 76 degrees, according to the NWS.

The Front Range is under a fire weather watch and the northeastern plains are under a red flag warning.

"Critical fire weather conditions will develop once again across the eastern plains by late Thursday morning," according to the NWS red flag warning for northeast Colorado.

Although temperatures on Friday will be a bit cooler than the past several days in Denver, the expected high of near 66 degrees is still above normal temperatures in the mid 50s for this time of the year.

The weekend will be balmy with high temperatures about 80 on Saturday and Sunday.

The first part of next week will be in the upper 60s, according to the NWS.

Larimer County receives FEMA grant for historic 2013 flooding (9 News)

http://www.9news.com/weather/larimer-county-receives-fema-grant-for-historic-2013-flooding/422915441 - video link

KUSA - It's been nearly four years since historic flooding devastated parts of Colorado, and repairs are still going on.

Now, some of those impacted will get a little help from FEMA.

The agency is giving Larimer County a grant worth $1.1 million.

The money will go toward repairing roads and bridges damaged during the September 2013 floods. Experts called the devastation a 1,000-year rain and 100-year flood.

In all, the waters caused about $4 billion worth of damage across 24 counties.

Nearly 2,000 people were rescued during that week, and nearly 19,000 homes were damaged. Ten people were killed.

FEMA provided temporary housing for displaced families.

It has also funded housing in areas where mobile homes were hit by the flood waters.

Hatcheries help spawn interest in fishing (Loveland Reporter Herald)

http://www.reporterherald.com/lifestyles/recreation/ci_30857627/hatcheries-help-spawn-interest-fishing

Bellvue-Watson hatchery back in operation after 2013 flood

By Michelle Vendegna
Reporter-Herald Staff Writer

POSTED: 03/15/2017 03:37:29 PM MDT

Northern Colorado Fish Hatcheries

•**Bellvue-Watson Fish Hatchery**, 4936 W. County Road 52E, Bellvue.

Site offers informational and educational material, self-guided tour, and food dispensers to feed the fish.

•**Poudre Rearing Unit,** 38195 Poudre Canyon, Bellvue.

Site offers educational material, self-guided tours with guided tours by appointment, food dispensers to feed the fish, nearby wildlife such as Bighorn sheep, deer, and elk.

Call ahead to any hatchery you plan to visit for hours and additional information. Visit the Colorado Parks and Wildlife website for a map and more information, cpw.state.co.us

It seems almost by magic that fish appear in lakes throughout Colorado, almost. But 16 fish hatcheries around the state of Colorado work year-round to ensure you can get that perfect catch and you can see how at no cost.

"Most of our hatcheries are self-guided tours. Here we are open daily from 8 a.m. to 3 p.m.," said Jesse Faue, hatchery supervisor for Bellvue-Watson Fish Hatchery, 4936 W. County Road 52E, Bellvue.

There are 18 hatcheries on Colorado Parks and Wildlife map, (cpw.state.co.us/learn/Pages/Hatcheries.aspx). The experiences vary with some having guided tours or visitors centers while other may have just signs.

"This year is going to be our first year fully back up and running," Faue said of Bellvue-Watson. The hatchery was heavily damaged in the September 2013 flood. The crew has been repairing pipelines in addition to needed infrastructure upgrades for normal wear and tear.

"Currently, the big thing to do is to come out, get some feed, walk around, feed the fish, see the fish and see one of their state fish hatcheries," he said of what visitors can expect. Fish food is 25 cents for a hand full from the gumball machines around the raceway area. The funds go to purchasing the food.

"There is always somebody around somewhere. (Visitors) are welcome to find someone on the crew here or stop by the office with questions," he said.

Faue is anticipating getting new signs and adding a small visitors center this summer.

"Really, we are kind of hoping to have a big reopening in June in the sense of new signs and a visitors center, something more for people to see, learn and do," he said.

The visitors center will be a small building with displays created by the crew at the hatchery, focused on fishing.

"One of the staff members is building a mock rivers kind of demo so they can see what the ecosystem of the river looks like. We have a whole bunch of flies in it so we can show people different types of flies to use in different seasons in the Poudre River and in this area. A lot of neat things coming with the visitors center," he said.

The Bellvue-Watson Fish Hatchery raises about 300,000 rainbow trout a year. It takes about 14 to 16 months to get the fish up to catchable size, 10 inches. The hatchery stocks fishing spots in Wellington, Fort Collins, Loveland, Longmont and as far east as Jumbo Reservoir in Julesberg and Hale Ponds in South Republican State Wildlife Area, formerly known as Bonny Lake State Park, near the Colorado/Kansas border.

"We cover a lot of country up in this area," Faue said.

Large groups, such as students from the local schools, can call ahead to arrange a guided tour of the hatchery.

"We give them a short presentation on what we do at the fish hatchery. We walk them through our job of getting fish eggs all the way to what we consider a catchable trout, a 10-inch trout, and that process we go through to get them that size," Faue said.

The hatcheries are not funded by general tax sales but by the sale of hunting and fishing licenses. Faue said if the public likes the mission, they can support the hatcheries by getting outdoors.

"The best way people can help is buy a fishing license and take a kid fishing," he said.

Faue said the hatchery offers kids a chance to see what the outdoors has to offer.

"I grew up hunting and fishing and it's something we're not seeing as much anymore. When people come out here, kids always leave excited about having fed the fish, seeing the fish and then wanting to go fishing," he said. Visitors can take a right as they leave the facility and head straight into Watson Lake State Wildlife Area to continue the experience.

"It's a great way for the entire family to come out, spend some time outdoors," he said. Faue said there is no age limit for the fun of feeding fish. He's been a supervisor for seven years at the facility and has never gotten bored of it.

"It's the one thing," he said, "no matter how your day is going, you can go out and feed fish and it's always exciting."

Michelle Vendegna: 970-699-5407, vendegnam@reporterherald.com

MONTANA:

Flood advisory issued for southwestern Montana (Bozeman Daily Chronicle; one of several stories across MT about flood concerns)

http://www.bozemandailychronicle.com/news/flood-advisory-issued-for-southwestern-montana/article_feafc47d-8ac0-544e-aaeb-d0d38f6d0850.html

- By Chronicle Staff

The National Weather Service has issued a flood advisory for melting snow across southwestern Montana until 10:15 Friday morning.

The advisory covers Broadwater, Beaverhead, Madison, Jefferson and northern Gallatin counties.

As of Wednesday afternoon, no flooding had been reported in Gallatin County, according to the county road department.

With daytime temperatures in the 50s and 60s and nighttime, snow is melting quickly at elevations below 8,000 feet, which may lead to localized flooding around small streams and creeks, the weather service said.

Need For Missoula County Flood Insurance Could Be Soon, Peak Runoff Expected In April Or May (KVGO-FM, Missoula)

March 15, 2017

Missoula usually sees peak runoff from snowmelt around May, but Missoula County's Floodplain Administrator, Todd Klietz warns that it can come much sooner, and that folks should be ready.

"The very earliest in the year that we've had peak runoff, that's been recorded anyway, has been April 13th, and why that's important to get the word out to people now is that if they wish to have FEMA flood insurance… and basically anyone in Missoula County can get FEMA flood insurance… they need to know that there is a 30 day wait limit once they get their policy," Kleitz said.

Kleitz said flooding can be a big issue along the Bitterroot, but there are even places in the city of Missoula get hit hard.

"The first place that we see it is in the Tower Street area, just west of Reserve Street," Kleitz said. "The reason we see it there is that prior to 1949, there wasn't a levy that was along that area. We had floods in 1948 that flooded the Orchard Homes area and after those floods, the Corps of Engineers built a levy, but the levy stops just east of Tower Street."

According to Kleitz, Montanans have a rather low rate of flood insurance, compared to those in other states. He says that FEMA flood insurance doesn't just come from issues in the flood plain and that things like street melt can also be covered.

NORTH DAKOTA:

Army Corps on trial over Missouri River flooding complaint (Associated Press/Bismarck Tribune)

Mar 16, 2017

KANSAS CITY, Mo. (AP) — The U.S. Army Corps of Engineers is defending itself at trial against more than 300 farmers and other landowners who say the agency's management of the Missouri River has contributed to major flooding in five states, most notably 2011 flooding that caused billions of dollars in damage.

The lawsuit, filed in 2014 in the U.S. Court of Federal Claims, argues that the Corps has altered its practices regarding the river's water storage, release and flow management since the mid-2000s, de-emphasizing flood control while pushing to restore habitat for endangered species. It contends that the Corps unconstitutionally deprived plaintiffs of their land, essentially taking it without compensation.

Although the lawsuit doesn't specify the amount of damages being sought, the landowners' attorney has said it could exceed $250 million. The plaintiffs believe case law is on their side, given a U.S. Supreme Court ruling in December 2012 that the federal government is not automatically exempt from paying for damage caused by temporary flooding from its dams.

The case, which isn't expected to be decided until this summer at the earliest, reflects longstanding debate about the Corps' management of the river as the agency tries to strike a balance among competing interests — landowners, the barge industry, water suppliers, hydropower utilities, environmentalists and recreational users of the waterway, notably on upriver reservoirs. Regulating the river's levels comes through the Corps' management of discharges from a half-dozen large upstream reservoirs, each meant to hold snowmelt and other excess water during the spring before the Corps gradually releases it the rest of the year.

In court filings, the federal government argues that authorities never promised to stop all flooding along the 2,341-mile-long Missouri River, which flows into the Mississippi River north of St. Louis. The Corps, which has said it is required by Congress and the courts to act in the river's best interest, maintains that providing habitat for endangered species didn't exacerbate the inundation six years ago — a claim echoed by a top Midwest volunteer for the Sierra Club.

The trial started last week. The Corps typically does not comment publicly about litigation, and it didn't reply to recent messages by The Associated Press.

Outside experts who reviewed the 2011 flooding said the Corps did the best it could in dealing with record amounts of water that flowed into the river after unusually heavy spring rain in Montana and North Dakota.

That flooding lasted more than three months after the Corps began releasing massive amounts of water from swollen upstream reservoirs. It overwhelmed levees, carved gouges up to 50 feet deep, created sand dunes 15-feet-high, deposited debris in farmers' fields and devastated hundreds of thousands of acres of mostly farmland in South Dakota, Nebraska, Iowa, Kansas and Missouri.

Caroline Pufalt, the St. Louis-based chairwoman of the Sierra Club's Missouri River Network, said blaming the Corps on environmental grounds is "a red herring," and that while the Corps may make decisions in the interest of habitat, such actions are rare.

Pufalt said the Corps did the best it could six years ago, given "unusual circumstances" involving so much water in the Missouri River system.

"These floods were kind of unavoidable," Pufalt said. "The folks who have filed this lawsuit mistakenly think there's some magic thing the Corps can do, given the current river, that will take away their flood risk, and that's not going to happen."
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The Latest: Highway shut down by protests to see traffic (NewsCenter 1 TV)

Posted March 15, 2017
BISMARCK, N.D. (AP) (NewsCenter1TV)

Officials are re-establishing traffic on a stretch of highway in North Dakota that has been closed for months due to protests against the Dakota Access oil pipeline.

The stretch of state Highway 1806 was shut down in late October after a bridge was damaged by fires during protests.

Authorities say that beginning at noon Friday, two-way traffic will be allowed with the assistance of pilot cars that will escort vehicles over a 9-mile stretch. That system will continue until authorities deem it safe to resume normal traffic without pilot cars.

The stretch of highway is near the area where pipeline opponents camped for months. The camps were cleared out and shut down late last month in advance of spring flooding season.

Judge won't stop oil from flowing through disputed pipeline (AP)

Wednesday, 15 Mar 2017 | 10:49 AM ET The Associated Press (CNBC)

BISMARCK, N.D. (AP) — A judge refused to head off the imminent flow of oil in the disputed Dakota Access pipeline, likely clearing the way for operations to begin next week.

U.S. District Judge James Boasberg in Washington, D.C., denied a request by the Standing Rock and Cheyenne River Sioux tribes to stop oil from flowing while the tribes appeal his decision last week allowing pipeline construction to finish.

"The critical factor here is Cheyenne River's lack of likelihood of success on the merits ... plaintiff does not have a strong case on appeal," Boasberg said in his ruling Tuesday.

Cheyenne River attorney Nicole Ducheneaux did not immediately respond to a request for comment Wednesday.

Texas-based pipeline developer Energy Transfer Partners is finishing up pipeline work beneath Lake Oahe, a Missouri River reservoir in North Dakota and the last piece of construction on the 1,200-mile, $3.8 billion pipeline to move North Dakota oil to a distribution point in Illinois. The tribes maintain an oil pipeline under the lake they consider sacred violates their religious rights, but Boasberg says the argument was made too late and is of questionable merit.

The judge also said ETP would be "substantially harmed" by a delay, as it prepares to move oil through the pipeline as early as Monday.

Both ETP and the Army Corps of Engineers had objected to the tribes' latest attempt to halt the project, with Corps attorneys saying in court documents that President Donald Trump "has expressly determined that the pipeline is 'in the national interest.'"

The Corps last month granted ETP permission to lay pipe under the reservoir that it manages for the federal government, after Trump in January urged the project's completion after months of legal delays.

The court battle isn't over. Aside from the tribes' appeal to the U.S. Court of Appeals for the District of Columbia Circuit on the religion argument, the tribes in their lawsuit before Boasberg are arguing for more environmental study and for the government to recognize the tribes' treaty rights to clean water.

The Corps on Tuesday filed its opposition to those requests, saying the agency's permission for the Lake Oahe work "represents the culmination of over two years of detailed environmental analysis and extensive consultation with (the tribes)."

The pipeline saga also has endured for months outside of the courtroom, with about 750 arrests of protesters in southern North Dakota from August through February. Amnesty International USA on Wednesday said it has documented numerous instances of excessive force or intimidation by police and excessive criminal charges.

The organization in a letter asks Republican Gov. Doug Burgum and Attorney General Wayne Stenehjem to drop or consider dropping charges against protesters, review police practices and open independent investigations into several specific cases.

Police have defended their practices, which have included water sprays, tear gas and non-lethal ammunition such as rubber bullets. Police have said some protesters were violent and took part in riots, and that some targeted police both professionally and personally.

The Latest: Cleanup finished at pipeline protest camps (KTIV)

BISMARCK, N.D. (AP) – KTIV.com

The Army Corps of Engineers has finished cleaning up three Dakota Access pipeline protest camps that were on federal land in North Dakota.

The Corps hired a contractor after the main camp and two others were cleared out and shut down late last month in advance of the spring flooding season. They'd operated since last spring and at times held thousands of pipeline opponents.

Corps Capt. Ryan Hignight says a total of 835 industrial-size trash bins were filled and removed in the operation that wrapped up late last week. That doesn't include materials such as lumber and propane tanks that were set aside for reuse or recycling.

The total cost of the operation hasn't been tallied yet, but the Corps has estimated that it could cost taxpayers more than $1.1 million.

Flood Preparedness Meeting In Valley City (NewsDakota.com)



March 15, 2017
By: Steve Urness (NewsDakota.com)

VALLEY CITY, N.D. (NewsDakota.com) – Local, state and federal officials held a meeting in Valley City to help citizens learn more about the flood outlook and steps residents and businesses can take to reduce their flood risk this spring.

The meeting included representatives from the National Weather Service, North Dakota Emergency Services and Senior Floodplain Specialist Barbara Fitzpatrick from the Federal Emergency Management Administration in Valley City.

To learn more about your flood risk and the facts about flood insurance coverage talk to your local insurance agent or log onto www.fema.gov/r8flood

National Weather Service Forecast Greg Gust said the probability of the Sheyenne River in Valley City reaching 12 feet is at 50 percent.

Gust and other federal and state officials discussed flood risk issues and gave tips to residents during a Town Hall meeting on March 15th. To view the entire meeting click on the video available below.

Time To Buy (Minot Daily News)

March 15, 2017

Even with the current low flood risk from the Souris River, federal, state and local officials are encouraging residents to purchase flood insurance to protect themselves from any overland flooding or unforeseen events.

Representatives of the Federal Emergency Management Agency, North Dakota State Water Commission and City of Minot held an outreach meeting Tuesday to provide residents with information on flood risk and flood insurance and to answer questions.

FEMA and state statistics show the numbers of state residents who have purchased insurance is down 12 percent from a year ago. It is down an estimated 50 percent from the 2009 to 2011 period, when various areas in the state faced floods and potential floods. Nearly 20,000 North Dakotans carried flood insurance during that peak.

A 1 percent chance of a flood exists every year for residents in the 100-year flood plain. Households are at a greater risk of flood than fire, according to FEMA.

A flood event from overland water flow needs only to affect two or more property owners in the city or two acres in the rural area to be eligible for a claim. Spring snowmelt and heavy rainfall can lead to a flood event.

"A quarter of all claims are outside the 100-year flood plain," said Brian Hvinden, external affairs specialist with FEMA's Denver office.

"It really can happen in any location."

For that reason, residents across Minot and not just those in the valley or any known flood plain are urged to consider purchasing insurance. There is a 30-day wait after buying insurance before a policy becomes effective.

A preferred risk premium, which most Minot residents would qualify for, is about $475 a year for the maximum coverage of $250,000 on the structure and $100,000 on contents. People can insure for less coverage at a lower premium.

Should another large-scale flood event occur, any uninsured property that previously received FEMA assistance in 2011 would be severely limited in the amount of FEMA assistance available again.

Minot City Manager Tom Barry is urging homeowners to buy insurance and lock in the current premium. FEMA is revising Minot's flood plain, which is expected to put many homes now in a preferred risk zone into a higher risk flood zone and drastically increase premiums. Preliminary maps for Minot and Ward County should be released in June and public open houses will be held over the summer.

The city and county can appeal any objections to the map details through the fall of 2017. However, the city and county already are working with FEMA and the North Dakota State Water Commission to refine the preliminary map before it is released. Adoption of a final map is tentatively scheduled for the summer of 2018.

Flood plain maps show flood elevations, flood zones and flood plain boundaries. The current flood plain map was produced 15 years ago.

Homeowners who lock in their premiums now will be grandfathered so when premiums are adjusted, future increases will be limited to no more than 18 percent a year. Premiums then will gradually increase until reaching the new premium set for that rate class. Homeowners also will be able to transfer their grandfathering if they sell their houses.

Barry said the city is participating in the federal Community Rating System, which sets out a number of steps that local governments can take in flood plain management. Minot already has made strides that have produced a 10 percent discount for residents.

Residents who want to know more about flood insurance and how they can mitigate their flood risk can find information online at fema.gov/r8flood.

SOUTH DAKOTA:

Being Out Of Floodplain Doesn't Mean Homes Won't Flood (Aberdeen News)

By Kathy Jensen

March 15, 2017

A Federal Emergency Management Agency official has a tip for people who might be contemplating flood insurance.

"When the flood's coming in your backyard, it's too late," said Brian Hvinden, FEMA external affairs specialist.

Flood insurance doesn't go into effect until 30 days after it's been purchased, Hvinden said. In other words, now is not a bad time to consider a policy.

He traveled through the region last week, talking about the importance of flood insurance.

There was a 7 percent decrease in flood insurance policies for South Dakota and a 12 percent decrease for North Dakota between December 2015 and December 2016, Hvinden said.

"We always see spikes after a major event," Hvinden said.

But after a few years go by, people start thinking they don't need it.

Flood insurance doesn't cover only large events, said Tom Birney, National Flood Insurance Program state specialist.

Aberdeen hasn't had large-scale flooding since 2007, but there have been flooded streets and backyards since, Birney said.

To file a claim, there needs to be flooding on 2 acres or two properties, he said.

"If my property and the street or my neighbor's property floods, I can file a claim," Birney said.

A common issue is that most homeowner's insurance doesn't cover flooding, he said.

With flood insurance, the building — foundation, electrical, plumbing, structural integrity — as well as its contents are covered, Birney said.

Property owners don't have to live in a floodplain to buy flood insurance, he said. About 30 percent of claims come from outside high-risk zones.

Food maps aren't always accurate, said Jerry DeFelice, FEMA external affairs specialist for the South Dakota area.

The maps aren't updated annually because it takes quite a bit of work to make the maps, DeFelice said. So new developments, such as a parking lot or building, can increase runoff and change the flood risk, he said.

Aberdeen has a higher-than-average number of policyholders compared to the rest of the state, Birney said.

Currently, about 197 properties in Aberdeen are covered by flood insurance. Within Brown County, there are 257 policyholders.

Aberdeen residents are able to buy government-backed flood insurance because the city became a member of the National Flood Insurance Program in 1978.

When a town joins, it is offered disaster assistance by FEMA and flood insurance. In exchange, the community promises to manage its floodplain and build in areas that are reasonably safe for development.

Since becoming a member, there have been 326 claims made by flood insurance policyholders in Aberdeen.

Rates are set by the federal government based on geographic data and risks. Properties in areas of higher risk have higher premiums.

The average premium in Aberdeen is about $895 a year, Birney said.

Those in low-risk areas can get a preferred risk policy with maximum coverage for about $600 a year, he said.

Since the rates are set by the government, the cost of a policy should be equitable no matter the insurer, Birney said.

UTAH:

Sanpete Valley Hospital, local agencies to hold disaster drill (Daily Herald)

MT. PLEASANT — In an effort to evaluate local resources and knowledge relating to disaster management, Sanpete Valley Hospital's trauma services has initiated a mass casualty drill to take place Tuesday, March 21.

This drill is in partnership with local and state agencies including MT. Pleasant Police Department, Sanpete County Sherriff's Office, Snow College, Utah Department of Emergency Management, Utah Highway Patrol, North Sanpete Ambulance Association, Ephraim Ambulance, Manti Ambulance, and North Sanpete High School.

Starting at NSHS, the drill will consist of a mock shooting to incorporate an interagency response with law enforcement and emergency medical services (EMS) on the scene, and then continue to more definitive medical care as "victims" are transported to Sanpete Valley Hospital.

"This drill will serve as a vital piece in our community efforts to prepare and train – should such an event actually occur," explains Dr. Dave Krzymowski, SVH Trauma Director/Surgeon. "After meeting with representatives from each of the participating agencies, we can see that this will be highly beneficial to each organization, as well as the community we serve."

Rebuilt SLC International Airport may be too small just 5 years after it opens (Salt Lake Tribune)

By LEE DAVIDSON | The Salt Lake Tribune

Officials say more construction could be in order not long after the projected 2020 completion.

The massive $2.9 billion project to rebuild Salt Lake City International Airport may handle projected air traffic for as little as five years after completion — until 2025.

That information emerged Wednesday in an exchange at the Airport Advisory Board.

"Will it take care of us for 25 years?" state Sen. Karen Mayne, a board member, wanted to know about the reconstruction project's ability to handle growth.

"It could be five," said Kevin Robins, the interim airport director.

That surprisingly short projected shelf life is due to growing demand for more flights. Robins said that, with the additional gates and flights airlines are now seeking, the airport may need to build all of a planned second, northern concourse.

About 15 extra gates there have been penciled in, and officials may decide in a year or two whether to add them and "keep building. Those 15 gates are sort of a relief valve," said Terminal Redevelopment Project Director Mike Williams.

Robins said, "If we build the entire north concourse, that starts putting enough pressure on the baggage-handling system that we may have to look at actually expanding the terminal to accommodate the additional gates."

With an eye to the far-distant future, Mayne asked if the airport has enough land to build even more than the two now-planned, parallel concourses.

Robins said master plans include a third concourse eventually. The airport also has enough land "that if we needed to, we could add a fourth concourse. It would require us to move a lot of the north support facilities."

Robins said master plans are "trying to address, 'What is the future if we continue the growth we are experiencing now?' "

He added that the airport at present "continues to face the good problem of growing traffic and not enough rooms at the inn to be able to accommodate" it.

Among new service that he said has been announced are Delta flights beginning in December to Maui, Hawaii, and Tampa, Fla. "We did have Maui service before, and it's coming back in December."

He also said United recently started new nonstop service to Newark, N.J. Southwest has added service to Burbank and Sacramento, Calif.

And internationally, KLM later this month will restart nonstop service to Amsterdam.

"All good problems to have," Robins said. "We continue to make contingency plans."

The current $2.9 billion project aims to build a new terminal and two new parallel concourses by 2020, replacing all current terminals and concourses.

The current airport was designed to handle about 10 million passengers a year, and is now seeing more than twice that number.

The airport's proposed 2018 budget, unveiled Wednesday, includes $744 million of planned work that year on the new terminals and concourses.

So far, most construction for the terminal redevelopment project has been underground and largely out of sight. That's about to change.

Construction of foundations and installation of miles of utilities have progressed to the point that structural steel is about to spring skyward.

"We are starting to get out of the ground," Williams reported.

He said structural steel will start to be erected next month at the new south concourse, "so you will really start to see the buildings come up out of the ground."

He added, "Work is going on everywhere on the 135-acre site right now. It's pretty amazing."

Roads around the airport continue to be rerouted as needed for construction.

Williams said construction of a new "park-and-wait" lot has been completed, and traffic will likely be shifted to it in May — when the current park-and-wait lot will be removed for redevelopment work.

The new 2018 budget for the airport, which is subject to approval by the Salt Lake City Council, also proposes to spend $103.9 million on airport operations. It includes a 3 percent increase in wages for airport employees.

About 40 percent of projected operation revenues come from "landside" concessions such as maintaining and fueling aircraft; 38 percent from airline fees; 12 percent from terminal concessions; with the rest from leases, aviation tax, general aviation fees and other sources.

WYOMING:

BLM to conduct prescribed fire projects this spring (Northern Wyoming Daily News)

March 15, 2017

WORLAND — The Bureau of Land Management Wind River/Bighorn Basin District tentatively plans to conduct three prescribed fire projects within the Cody and Worland field office areas this spring. These projects are contingent upon fuel moisture and weather meeting optimal treatment conditions.

“The prescribed fire projects are designed to enhance rangeland and woodland vegetation health, improve wildlife habitat, increase livestock and wildlife forage and improve distribution, and reduce the hazardous build-up of fuels which lessens the probability of a severe wildfire,” said BLM Fire Management Officer Rich Zimmerlee.

The projects may be conducted March through May in the following locations:

Hooligan Springs: Approximately 100 acres of juniper, timber litter and mountain shrub in ponderosa pine understory will be targeted. The project area is located in the Renner Wildlife Habitat Management Area 10 miles north of Ten Sleep.

Medicine Lodge: Mosaic sagebrush burning, encroaching conifer reduction and aspen enhancement are the goals on a little more than 200 acres of BLM and Wyoming Game and Fish Department (WGFD) lands. The 3,000-acre project area lies approximately 5 miles northeast of Hyattville in the Medicine Lodge Wildlife Habitat Management Area.

West Slope: Approximately 200 acres of juniper will be targeted to continue long-term improvements of big game habitat conditions in cooperation with WGFD. This project is 15

miles east of Lovell on the west slope of the Bighorn Mountains, northwest of Cottonwood Canyon.

Removing overstory shrubs and trees through the use of prescribed fire opens up areas for grasses and forbs and provides for new growth with more palatable and nutritious forage. Removing understory vegetation through prescribed fire reduces encroaching, competing species and clears the area of heavy fuels, which improves the overall health of the area.

For more information, contact Rance Neighbors at 307-347-5100 or Tim Haas at 307-578-5938. For more information on prescribed fire and vegetation management on public lands, visit http://www.forestsandrangelands.gov/.

FEMA-RELATED STORIES:

Trump Budget Asks For $6 Billion In HUD Cuts, Drops Development Grants (Washington Post)

By Jose A. Delreal

Washington Post, March 16, 2017

The Trump administration will slash more than $6 billion in funding for the Department of Housing and Urban Development and eliminate community development grants, according to a budget outline obtained by The Washington Post.

The Office of Management and Budget's "blueprint" for 2018 puts HUD's funding at $40.7 billion, down from $46.9 billion in 2017, representing a cut of 13.2 percent. The funding levels detailed in the OMB's blueprint closely match preliminary numbers The Post first reported last week.

Throughout the OMB budget outline, the administration emphasizes its belief that local governments should be the ones primarily responsible for urban-development programs.

"State and local governments are better positioned to serve their communities based on local needs and priorities," the budget document says.

The budget proposal would eliminate funding for the Community Development Block Grant program, which supports a wide range of urban-renewal projects and received $3 billion in funding for 2017. The decades-old grant program has been used to fund such projects as the Lafitte Greenway in New Orleans and to support Hurricane Sandy recovery efforts.

Also recommended for elimination are the HOME Investment Partnerships Program, the Choice Neighborhoods program and the Self-help Homeownership Opportunity Program. Cutting those programs — which help redevelop low-income neighborhoods and encourage homeownership — will shave an additional $1.1 billion from HUD.

Experts and advocates have said the overall reduction in HUD's budget will put tremendous strain on the nation's housing authorities, which manage public housing and rely heavily on federal funding.

A more detailed budget document that The Post obtained last week showed significant cuts to maintenance funds, which would probably exacerbate a backlog of repair work nationwide.

Although the administration appears to have maintained funding levels for subsidized-housing programs, local housing authorities might be forced to scale back the number of housing vouchers

because of inflation and rising housing costs. That could mean a loss of up to 200,000 subsidized housing vouchers in coming years, according to flat-funding estimates.

From: Greff, Stacie
Sent: 11 Feb 2017 23:59:54 +0000
To: Greff, Stacie
Subject: FW: DAPL Protest (UNCLASSIFIED): Nondelivered
Importance: High

Your message did not reach some or all of the intended recipients.

Subject: FW: DAPL Protest (UNCLASSIFIED)
Sent: Saturday, February 11, 2017 06:59 PM (UTC-05:00) Eastern Time (US & Canada)

The following recipient(s) could not be reached:
thomas carroll

From: Welch, Randy
Sent: 31 Jan 2017 19:39:33 -0500
To: Floyd, Megan;Greff, Stacie;Dick, Jennifer;Dombrowski, Justin
Cc: Welch, Randy
Subject: FW: Region VIII Tribal input for Senate Indian Affairs Committee hearing

We should also mention the Riverton issue.

Can I add this?

There is also a legal dispute pending before the 10th Circuit Court of Appeals in Denver about whether the city of Riverton is legally still part of the Wind River Indian Reservation. The dispute stems from a ruling by the Department of Interior, in response to a question by the EPA about what the tribal boundaries were. An Interior lawyer said the sale of some plots of land in the early 1900s did not change the boundaries of the reservation. The state has sued over the issue. A recent article in the *Casper Star-Tribune* said the ruling might not make much practical difference to Riverton, but, "If land that Indian nations agreed to let the federal government sell to non-Indians is still subject to tribal sovereignty, that could have far-reaching implications around the country."

Randy Welch
FEMA Region VIII External Affairs
(303) 235-4619

From: Floyd, Megan
Sent: Tuesday, January 31, 2017 4:47 PM
To: Welch, Randy <Randy.Welch@fema.dhs.gov>
Cc: Garcia, Carol <carol.garcia@fema.dhs.gov>; Stephenson, James R <James.Stephenson@fema.dhs.gov>
Subject: Region VIII Tribal input for Senate Indian Affairs Committee hearing

Randy –

Below are the hot issues related to tribal that could come up. They have been approved by Justin, Stacie and Jen. We are all set to submit.

Thanks

Megan

1) Standing Rock: Dakota Access Pipeline Protests - There have been no official requests for FEMA assistance from the Tribe or the State

   Background: On April 1, 2016, people began to gather and protest the construction of the Dakota Access Pipeline just north of the Standing Rock Reservation border. Protest crowds were estimated at over 10,000 (NYTimes) during their peak. Since December 2016, when the

Army Corps of Engineers did not approve the easement necessary to permit the pipeline to cross under Lake Oahe, the numbers at the protest camps have fallen to around 500 (+/-). Due to the significant crowd size, North Dakota provided additional law enforcement resulting in substantial costs to the State office of Homeland Security. In October, the State of North Dakota started to talk about Emergency Management Assistance Compact (EMAC) to support the law enforcement efforts. Ultimately other states did provide support to the State. In late September, Senator Hoeven spoke with former Administer Fugate regarding the need to provide financial assistance to the State to support law enforcement. The State has not made any official requests of FEMA for assistance. The Standing Rock Sioux Tribe has not reached out to FEMA for assistance either. At this time, both the Standing Rock Sioux Tribe and the State of North Dakota have called on protestors to leave the protest site and return home based on concerns for spring flooding and the impacts of the protest camp on the local community. FEMA is not engaged on the issue beyond passive monitoring. See most recent news article quoting Senator Hoeven below.

2) Rocky Boy's: Office of the Inspector General (OIG) Audit

In 2010, the Chippewa Cree of the Rocky Boy's Reservation was a direct Grantee for DR-1922. Following the event, numerous issues have arisen with the misuse of FEMA funding, as well as other federal grant funds. The Montana U.S. Attorney's office has prosecuted several tribal members, officials and contractors. THE DHS OIG also has been involved with audits of FEMA's Public Assistance grants to the Tribe for several years. In mid-January, the Region received notice that the OIG will conduct another audit related to funds provided to the Tribe for the health clinic that was destroyed during the disaster.

3) Emergency Management Performance Grant Program (EMPG): Funds are not available directly to tribal governments

Tribes across Region VIII has been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their emergency management programs and in some cases some funds trickle down to tribes, however, the tribes do not have direct access to these funds. The tribes in Region VIII have expressed concerns about the requirements for receiving a direct Presidential Emergency or Major Disaster declaration because they do not have access to grant program funds to support the development of their emergency management programs and internal capacity.

Additional BIA officers to be dispatched to ND to assist with DAPL protests

KFYR-TV, Bismarck
Posted: Fri 5:00 PM, Jan 27, 2017 |
Updated: Fri 5:02 PM, Jan 27, 2017

WASHINGTON, D.C. - Senator John Hoeven announced Friday the Bureau of Indian Affairs has dispatched 20 additional officers to North Dakota to help state and local law enforcement at the Dakota Access Pipeline protest sites.

This will bring the total number of BIA officers at the site to 40.

"We're working to get more federal law enforcement assistance to work with state and local law enforcement officers. The BIA has committed to provide an additional 20 officers, who should be there this weekend. In

addition, we're working with both the Department of Homeland Security and the Department of Justice to provide additional resources as well," Hoeven said.

From: Krikava, Richard
Sent: Thursday, January 26, 2017 3:17:58 PM
To: Norris, Rachael; Deshong, Casey; Hunter, Cynthia; Cappannari, Michael L; Shulman, Dan; Golding, Noah; Rigby, Corey; Murphy, Kendall; Alvarado, Diego
Cc: Trytten, Dana; Booth, Milo
Subject: Senate Indian Affairs Committee

Team:

As you may have heard, we've got a hearing coming up in the Senate Indian Affairs Committee on Feb. 8. In an effort to prepare our witness for questions that may be lobbed at him, could you please take a look at the list of Senators below, and let me know if there are any boogeyman issues related to FEMA out there that might flare up in the hearing (related to Indian Country or otherwise)?

I'm just looking for a few lines on the issues that might be out there, and if we need to dig in deeper, we can go from there.

Something by COB Tuesday, Jan. 31?

Thanks, and call me if you have any questions. (Also, I'm sure our Tribal Branch here at HQ are pinging your Regional Tribal Liaisons, too.)

REPUBLICANS

John Hoeven, Member - Chairman (ND)
John Barrasso, Member (WY)
John McCain, Member (AZ)
Lisa Murkowski, Member (AK)
James Lankford, Member (OK)
Steve Daines, Member (MT)
Michael Crapo, Member (ID)
Jerry Moran, Member (KS)

DEMOCRATS

Tom Udall, Member - Vice Chairman (NM)
John Tester, Member (MT)
Maria Cantwell, Member (WA)
Al Franken, Member (MN)
Brian Schatz, Member (HI)
Heidi Heitkamp, Member (ND)
Catherine Cortez Masto, Member (NV)

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov



From: Greff, Stacie
Sent: 24 Mar 2017 17:14:10 +0000
To: Kimbrough, Lynn;Hvinden, Brian
Subject: Mike H

I had pinged him earlier… see just below

From: Hillenburg, Mike
Sent: Friday, March 24, 2017 11:08 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Teleworking

Sent from my iFEMA mobile device.

From: Greff, Stacie
Sent: Friday, March 24, 2017 12:51:29 PM
To: Hillenburg, Mike
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Are you in today?

From: Hillenburg, Mike
Sent: Friday, March 24, 2017 10:46 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Thanks Stacie… but how about Fracking!

From: Greff, Stacie
Sent: Friday, March 24, 2017 10:44 AM
To: Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>; Hillenburg, Mike <Mike.Hillenburg@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

No Minot? Fargo diversion? DAPL? You two are no fun!

Mike you are the perfect SME. I had planned to telework, but if we are hosting this, will come in for it. We'll work details with Michelle and keep you both posted.

From: Petterson, Jeanine
Sent: Friday, March 24, 2017 10:42 AM
To: Hillenburg, Mike <Mike.Hillenburg@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

YES please!

From: Hillenburg, Mike
Sent: Friday, March 24, 2017 10:41 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Cc: Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Stacie,

I'm sure that you already thought about this, but… as much as we can hold the conversation to Drayton and only Drayton… that would be great.

Thanks,

Mike

From: Greff, Stacie
Sent: Friday, March 24, 2017 10:36 AM
To: Hillenburg, Mike <Mike.Hillenburg@fema.dhs.gov>; Grimm, Michael <Michael.Grimm@fema.dhs.gov>; Block, Michelle <michelle.block@fema.dhs.gov>; Trytten, Dana <Dana.Trytten@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Armeni, Damon <damon.armeni@fema.dhs.gov>; Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>
Cc: Wright, Roy <Roy.Wright@fema.dhs.gov>; Gill, Michael <michael.gill@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

We'll work with HQ Leg Affairs on key details. Region will plan to serve as primary on the call. Thanks. Stacie

Stacie Greff
External Affairs Director
FEMA Region VIII
303.235.4774 (desk)
303.941.8668 (cell)
Stacie.Greff@fema.dhs.gov

From: Hillenburg, Mike
Sent: Friday, March 24, 2017 10:34 AM
To: Grimm, Michael <Michael.Grimm@fema.dhs.gov>; Block, Michelle <michelle.block@fema.dhs.gov>; Trytten, Dana <Dana.Trytten@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Armeni, Damon <damon.armeni@fema.dhs.gov>; Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Wright, Roy <Roy.Wright@fema.dhs.gov>; Gill, Michael <michael.gill@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

This is my understanding from the Region's follow up discussion with Roy yesterday.

From: Grimm, Michael
Sent: Friday, March 24, 2017 10:32 AM
To: Block, Michelle <michelle.block@fema.dhs.gov>; Trytten, Dana <Dana.Trytten@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Armeni, Damon <damon.armeni@fema.dhs.gov>; Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Wright, Roy <Roy.Wright@fema.dhs.gov>; Hillenburg, Mike <Mike.Hillenburg@fema.dhs.gov>; Gill, Michael <michael.gill@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

I suggest that Region take the lead since Nancy is signing the letter and we want to maintain the regional leadership and connectivity with State and delegation. If you want me on the call, and/or to take lead in discussion, am glad to do so and otherwise support.

Michael M. Grimm
Assistant Administrator for Mitigation
Federal Emergency Management Agency

From: Block, Michelle
Sent: Friday, March 24, 2017 12:19 PM
To: Trytten, Dana <Dana.Trytten@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Armeni, Damon <damon.armeni@fema.dhs.gov>; Grimm, Michael <Michael.Grimm@fema.dhs.gov>; Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Wright, Roy <Roy.Wright@fema.dhs.gov>; Hillenburg, Mike <Mike.Hillenburg@fema.dhs.gov>; Gill, Michael <michael.gill@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Thanks Dana. I will contact the delegations and send out a calendar invite once a time has been confirmed. Just to confirm, will HQ RMD or R8 be taking the lead on the call to discuss the grace period determination?

Thank you,
Michelle

From: Trytten, Dana
Sent: Friday, March 24, 2017 12:10 PM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Armeni, Damon <damon.armeni@fema.dhs.gov>; Grimm, Michael <Michael.Grimm@fema.dhs.gov>; Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>; Block, Michelle <michelle.block@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Wright, Roy <Roy.Wright@fema.dhs.gov>; Hillenburg, Mike <Mike.Hillenburg@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Hi Nancy,
Update
That is correct. Michelle Block with HQ Congressional Affairs will coordinate the call with the ND Congressional delegation staff, coordinating with the Region.

Thanks,

Dana

From: Dragani, Nancy
Sent: Friday, March 24, 2017 12:06 PM
To: Armeni, Damon <damon.armeni@fema.dhs.gov>; Grimm, Michael <Michael.Grimm@fema.dhs.gov>; Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Wright, Roy <Roy.Wright@fema.dhs.gov>; Hillenburg, Mike <Mike.Hillenburg@fema.dhs.gov>; Trytten, Dana <Dana.Trytten@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Damon, Mike, et al

To confirm, HQ Leg Affairs will conduct the conference call on Monday with all three ND offices.

If possible, I'd like to have R8 mitigation leadership on the call. I will be in a travel status so may be challenged to participate.

Does it make sense to have the state EMA on the call in a listening mode? If not, what is the action to notify the state?

Regards, Nancy

Sent from my iFEMA mobile device.

From: Armeni, Damon
Sent: Friday, March 24, 2017 9:33:59 AM
To: Grimm, Michael; Dragani, Nancy; Petterson, Jeanine
Cc: Greff, Stacie; Wright, Roy; Hillenburg, Mike; Trytten, Dana
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

That works, alternatively I can have my team do the simultaneous call to the Members' offices.

It is unlikely we will get them all on the line for a conference call, but we will try.

Dana, please have the team reach out to the three ND offices for a time they can all participate in a call on Monday. Tell them that it is regarding our decision on Drayton levy.

Sent from my iFEMA mobile device.

From: Grimm, Michael
Sent: Friday, March 24, 2017 9:30:14 AM
To: Dragani, Nancy; Petterson, Jeanine; Armeni, Damon
Cc: Greff, Stacie; Wright, Roy; Hillenburg, Mike
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Damon- In follow-up to the meeting yesterday with the Senator, Roy would like to have "us" do a ND delegation staff level call to inform them at the same time of the 30-day grace period (draft letter attached) response letter that Nancy will sign.

Nancy/Jeanine- this call can be led by the region. If you'd like me on the call let me know or to otherwise support.

Ideally this call would happen on Monday.

Thanks

Michael M. Grimm
Assistant Administrator for Mitigation
Federal Emergency Management Agency

From: Dragani, Nancy
Sent: Thursday, March 02, 2017 6:53 PM
To: Wright, Roy <Roy.Wright@fema.dhs.gov>; Grimm, Michael <Michael.Grimm@fema.dhs.gov>; Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Thanks Roy. Stacie Greff, Regional EA and I were just speculating about the outcome of your call.

Hope all is well in DC.

Regards, Nancy

Sent from my iFEMA mobile device.

From: Wright, Roy
Sent: Thursday, March 02, 2017 5:37:57 PM
To: Dragani, Nancy; Grimm, Michael; Petterson, Jeanine
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Quick read back on the call with Heitkamp (someone will follow with more details).

I told her that FEMA would not take action in Drayton "during a flood fight."

I told her that I need to see the request from the state about any extension. Last summer the state/community told me they had a solution in the works; give us 6 months. Any further action would require FEMA to see the new extension request.

Ultimately, I told the senator she needs a legislative solution — either broad based language like Hoeven offered on the approps bill or address specific like BW-12.

She committed to stay in touch with me. I assured her that we would engage her office before any final decisions were made.

All times listed are in the following time zone:(UTC-05:00) Eastern Time (US & Canada)

From: Block, Michelle
Sent: Tuesday, February 28, 2017 3:16:50 PM
To: Block, Michelle; Wright, Roy
Cc: Coons, Heather; FEMA-ActionOffice-FIMA; Armeni, Damon; Trytten, Dana; Koshgarian, Susan; Johnson, Jerald; Burris, Greggory
Subject: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee
When: Thursday, March 02, 2017 2:45 PM-3:00 PM.
Where: Roy to call Sen. Heitkamp

Request from Sen. Heitkamp's office: "She wants to discuss the levee situation in Drayton, ND. FEMA has set a deadline in April for the city to remove the levee but the Senator is very concerned about the timing of that given current projections from the NWS for major flooding in this region."

Date: March 2
Time: 2:45 p.m. (scheduler anticipates a 15 minute phone call)
Phone Number: 202-224-9889

Background Info: Pasted below is FEMA's response to a related QFR in 2016.

Question: The city of Drayton, North Dakota, has been directed by the Federal Emergency Management Agency (FEMA) to remove a levee that is currently on some properties that were purchased in 1997 utilizing funding through the Hazard Mitigation Grant. This levee has been in place for more than 15 years, but it was only recently reported by the state. I understand the city has signed a corrective action plan that would require removal of sections of the levee on these properties later this year, but may be requesting an extension. If an extension is requested, would FEMA grant that extension? If granted, what assistance or accommodations could FEMA provide to the city to make sure it has flood protection yet conforms to the open space requirements under the deed restrictions?

Response: FEMA recently received the extension request from the City of Drayton via the State of North Dakota. The state expressed their support for granting the extension. The city provided

a sufficient rationale for the extension request and FEMA notified the state of the extension approval via letter on July 22nd.

From: Greff, Stacie
Sent: 1 Feb 2017 03:10:03 +0000
To: Welch, Randy
Cc: Dombrowski, Justin;Floyd, Megan;Hunter, Cynthia;Welch, Randy
Subject: RE: draft of memo to Krikava re Indian Affairs Committee

I'm fine with you sending In a.m., or better, Megan you can push in a.m and cc Randy etc to get it up sooner

Still don't see Riverton need

Sent from my iFEMA mobile device.

From: Welch, Randy
Sent: Wednesday, February 01, 2017 12:49:15 AM
To: Greff, Stacie
Cc: Dombrowski, Justin; Floyd, Megan; Hunter, Cynthia; Welch, Randy
Subject: draft of memo to Krikava re Indian Affairs Committee

Stacie – I'll be out at the eye doc till 9:30/10 Wednesday. Below is what I have put together to send to Richard Krikava, Dana Trytten and Milo Booth – plus copy to Jason and Laura Cirillo, I suppose. Probably way more than he needed. In the draft below, I included the graph about Riverton, which I think they should be alerted to.

If it is good to go, do you or Megan or Cynthia want to forward it? Or wait till I come in mid-morning?

Randy

P.S. An alternative, shorter version about Riverton would be:

> There is an emerging issue about whether the city of Riverton actually belongs to the Wind River Indian Reservation, an argument the tribe has raised in the past. Three federal agencies, led by the EPA, are saying this is indeed the case. The governor has appealed the EPA's determination.

Richard,

Below is our background information on tribal issues and possible FEMA issues for the five Senators from our region who are on the Indian Affairs committee.

Randy Welch

FEMA Region VIII External Affairs
(303) 235-4619

Tribal Issues:

1) Standing Rock: Dakota Access Pipeline Protests - There have been no official requests for FEMA assistance from the tribe or the state

   Background: On April 1, 2016, people began to gather and protest the construction of the Dakota Access Pipeline just north of the Standing Rock Reservation border. Protest crowds were estimated at over 10,000 (*NY Times*) during their peak. Since December 2016, when the Army Corps of Engineers did not approve the easement necessary to permit the pipeline to cross under Lake Oahe, the numbers at the protest camps have fallen to around 500 (+/-). Due to the significant crowd size, North Dakota provided additional law enforcement resulting in substantial costs to the state Office of Homeland Security. In October, the State of North Dakota started to talk about using the Emergency Management Assistance Compact (EMAC) to support the law enforcement efforts. Ultimately other states did provide support to the state. In late September, Senator Hoeven spoke with former Administer Fugate regarding the need to provide financial assistance to the state to support law enforcement. North Dakota has not made any official requests of FEMA for assistance. The Standing Rock Sioux Tribe has not reached out to FEMA for assistance either. At this time, both the Standing Rock Sioux Tribe and the State of North Dakota have called on protestors to leave the protest site and return home based on concerns for spring flooding and the impacts of the protest camp on the local community. FEMA is not engaged on the issue beyond passive monitoring. See most recent news article quoting Senator Hoeven below. Note the situation remains in flux.

2) Rocky Boy's: Office of the Inspector General (OIG) Audit

   In 2010, the Chippewa Cree of the Rocky Boy's Reservation was a direct grantee for DR-1922. Following the event, numerous issues have arisen with the misuse of FEMA funding, as well as other federal grant funds. The Montana U.S. Attorney's office has prosecuted several tribal members, officials and contractors. THE DHS OIG also has been involved with audits of FEMA's Public Assistance grants to the tribe for several years. In mid-January, the region received notice that the OIG will conduct another audit related to funds provided to the tribe for the health clinic that was destroyed during the disaster.

3) Emergency Management Performance Grant Program (EMPG): Funds are not available directly to tribal governments

   Tribes across Region VIII have been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their emergency management programs and in some cases some funds trickle down to tribes; however, the tribes do not have direct access to these funds. The tribes in Region VIII have expressed concerns about the requirements for receiving a direct Presidential Emergency or Major Disaster declaration because they do

not have access to grant program funds to support the development of their emergency management programs and internal capacity.

Additional BIA officers to be dispatched to ND to assist with DAPL protests

KFYR-TV, Bismarck
Posted: Fri 5:00 PM, Jan 27, 2017 |
Updated: Fri 5:02 PM, Jan 27, 2017

WASHINGTON, D.C. - Senator John Hoeven announced Friday the Bureau of Indian Affairs has dispatched 20 additional officers to North Dakota to help state and local law enforcement at the Dakota Access Pipeline protest sites.

This will bring the total number of BIA officers at the site to 40.

"We're working to get more federal law enforcement assistance to work with state and local law enforcement officers. The BIA has committed to provide an additional 20 officers, who should be there this weekend. In addition, we're working with both the Department of Homeland Security and the Department of Justice to provide additional resources as well," Hoeven said.

4) There is also a legal dispute pending before the 10th Circuit Court of Appeals in Denver about whether the city of Riverton is legally still part of the Wind River Indian Reservation. The dispute stems from a ruling by the Department of Interior, in response to a question by the EPA about what the tribal boundaries were. An Interior lawyer said the sale of some plots of land in the early 1900s did not change the boundaries of the reservation. The state has sued over the issue. A recent article in the *Casper Star-Tribune* said the ruling might not make much practical difference to Riverton, but, "If land that Indian nations agreed to let the federal government sell to non-Indians is still subject to tribal sovereignty, that could have far-reaching implications around the country."

Member backgrounds:

John Hoeven, Member - Chairman (ND): Senator Hoeven knows FEMA well from disasters during his ten years as governor (2000-2010) plus now being in his seventh year as Senator, including heading oversight of DHS funding on Homeland Security. He has several FEMA-related concerns.

- His prime issue at present is likely to be the Dakota Access Pipeline project. He was a sponsor of legislation supporting the Keystone XL pipeline before the current situation with the Dakota Access Pipeline, and he recently got the BIA to commit law enforcement officers to help the state's law enforcement at the protest site (which is on land leased to the U.S. Army Corps of Engineers).
- A huge overarching concern for him is furthering the Fargo diversion project and the Minot flood protection system. Fargo is the state's largest city, and Minot is Senator Hoeven's hometown (which flooded badly in 2011). The Fargo-Moorhead Diversion is a proposed project to have the US Army Corps of Engineers built storage capacity and a diversion channel around Fargo for flood protection. It is a long-standing issue with a

great deal of political interest. A number of parties have voiced opposition to the project, including areas south of Fargo and the State of Minnesota. An issue related to both flood control measures is how these projects can work in coordination with flood insurance requirements and premium increases in both communities. Sen. Hoeven has been vocal in his assurances that FEMA will make every effort to support this effort. The draft of a new Minot flood map should be out in a few months, and it will likely show that 5,000+ could be in the new floodplain, an "economic disaster" according to local officials. R8 has been in regular communication with the local floodplain administrator to help advise how the community can minimize premium increases until flood protection is in place, a prospect that is years away even by the most optimistic projections.

- Senator Hoeven has been instrumental in preserving a "basement exception" for certain homes in the Fargo area and 14 other jurisdictions in North Dakota – an issue that was raised to HQ FIMA. The homes in question were specially constructed to provide high-standard basement floodproofing. The "exception" allows these homes to be rated for insurance purposes as if the basement didn't exist, resulting in significantly lower premiums. The city has expressed concern about how the new NFIP legislation might impact the basement exception, as well as how the new flood maps might impact it.
- He will also be concerned about potential flooding in North Dakota this spring. The state's snowpack is running higher than normal, reminiscent of previous flood years. The snowpack is particularly high around Devils Lake, a large closed-basin system (second only to Great Salt Lake) that has been in a 30-year wet cycle, hemmed in largely by a levee and roads that have been raised again and again, largely with FEMA funds.

John Barrasso, Member (WY): No FEMA-related issues. After a quick scan, I think we have only had one inquiry from his office in five years (an NFIP inquiry). The state has had almost no disasters because of its small population scattered over a wide area. The only recent disaster in the state is the 2015 IA and PA declaration for flooding and severe storms in two counties. The disaster gave almost $1.3 million in Individual Assistance to more than 300 households, and $2.6 million for Public Assistance. However, following the declaration, the state's lone congressional office raised the issue of how a FEMA-designated advocate for rural and small states might be able to assist states like theirs in obtaining declarations. The position was written into law years ago by the previous Wyoming congressional representative in response to FEMA's denial of a request involving the small community of Kaycee, but FEMA had not actually designated such an advocate until the issue was raised again in 2015. Currently, FEMA advocacy for small and rural states is handled by HQ IGA. FYI: Barrasso is a former orthopedic surgeon from Casper who was sworn into office in 2007, elected in 2008, and reelected to a full term in 2012…. The state PIO has frequently noted that the state sees cyber-security as a high priority.

Steve Daines, Member (MT): Daines has several relatively mild issues that relate to FEMA.

- He and Senator Tester sponsored the Wildfire Disaster Funding Act, which would establish a Forest Service fund to fight wildfires like FEMA's disaster fund.
- Eastern Montana includes part of the Bakken oil play that has greatly affected North Dakota. Since a considerable amount of the oil moves to the West Coast by train through Montana, the issues of potentially explosive oil spills, awareness of oil shipments, and training to respond to such incidents are a concern in the state. Current low oil prices have reduced the furious rate of the boom, but oil shipments by rail are still up hugely over past rates.

- A longstanding PA project near Laurel, just west of Billings along I-90, stems from the 2011 flood along the Yellowstone River. The riverbed shifted enough that the town's water intake would often be above water and useless at times of low water (typically August). Now that engineering and permitting issues have finally been settled, construction is underway. However, the 25% state/local share is a problem. The intake will cost about $9 million, meaning a $2.2 million state/local share, and neither the locals nor the state has the money, barring a special appropriation by the state. The state legislature came within one vote of passing such an appropriation on the last day of the session two years ago. (The legislature only meets every other year.) The legislature is now in session again, and both legislators and Laurel residents asked Daines' office for help. Laura Cirillo, our regional PA expert, Cynthia Hunter and I recently had a teleconference with Daines' Montana staffer Nathan Adams and his D.C. colleague Matthew Ketron to answer their questions about how the decisions were made, whether the state had visibility throughout, whether the state could say when something was getting too expensive, etc.
    - We explained that although we could talk to the congressionals, as feds to feds, the legislature needed to talk to the Montana Department of Emergency Services.
    - We briefly explained the history of the situation, including the previous intake that had to be replaced, and that we had funded a study that looked at 40-50 different options, then settled on three for more intensive review; then the design, reviews, permitting, etc. all took more time.
    - The money has been obligated. The staffers asked what happened if the work was not completed. Our PA specialist said we could and would take the money back from the state. (So, in effect, the state needs to come up with $2.2 million to prevent in theory $9 million from being taken back.)

FYI: Daines was a former manager for Procter & Gamble, then part of his family's construction business in Bozeman, then executive in a software company that became Bozeman's largest commercial employer. He was elected to the House of Representatives in 2012, then to the Senate in 2014.

Jon Tester, Member (MT) (note it is "Jon," not "John"): Tester's office has been the most active office with FEMA, always on friendly terms.

- Like Daines, he is concerned about funding to fight wildfires.
- Remapping of floodplains and rising flood insurance rates are major sources of concern
- His office has raised concerns about uncertified levees that provide some protection to residents but are not likely to pass muster when the areas are remapped, which will leave significant numbers of residents in high-risk zones and unable to afford the premiums. This issue is most notable in Great Falls, which is threatened by the Sun River, and the eastern plains town of Roundup, threatened by the Milk River.

FYI: Tester is a rancher from the Plains area who grew up near the Rocky Boys reservation and has close friends among the tribe. He is a former music teacher and former president of the Montana state senate. He and his wife also ran a custom butcher shop, and his official bio says he "still butchers his own meat and regularly hauls it to Washington with him in a carry-on suitcase." Tester was elected in 2006 and re-elected in 2012.

Heidi Heitkamp, Member (ND): Heitkamp seems to be conflicted about the Dakota Pipeline situation. Her official bio emphasizes that she will "stand up for Native American families and make sure the U.S. government lives up to its treaty and trust responsibilities." However, she is also a former director of the one-of-a-kind Dakota Gasification synfuels plant, and her bio describes her as a longtime "champion for North Dakota's energy jobs and industry." After President Trump's recent executive orders supporting both Keystone XL and the Dakota Pipeline, Heitkamp put out a press release citing the good news for Keystone – but did not mention the Dakota Pipeline. Like Hoeven, she supports the Fargo diversion and the Minot flood protection projects, and will be concerned about potential flooding in the state this spring. She also has focused on the issue of oil transportation safety, and urged FEMA to do so as well. The volume of crude oil moving by rail quadrupled in less than a decade because of increased production. Lower oil prices have given at least a temporary respite to the frenetic growth of the past several years in the western part of the state, but crude oil traffic by rail remains very high by historic standards. The volume of oil rail transport across North Dakota has increased concern from state, local and tribal emergency managers about a lack of visibility on transport through their areas and ability to handle the potentially devastating accidents. This was heightened by a December 30, 2013, train derailment and crude oil explosion near Casselton (near Fargo, in eastern North Dakota).

From: Hillenburg, Mike
Sent: 24 Mar 2017 17:07:36 +0000
To: Greff, Stacie
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Teleworking

Sent from my iFEMA mobile device.

From: Greff, Stacie
Sent: Friday, March 24, 2017 12:51:29 PM
To: Hillenburg, Mike
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Are you in today?

From: Hillenburg, Mike
Sent: Friday, March 24, 2017 10:46 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Thanks Stacie… but how about Fracking!

From: Greff, Stacie
Sent: Friday, March 24, 2017 10:44 AM
To: Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>; Hillenburg, Mike <Mike.Hillenburg@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

No Minot? Fargo diversion? DAPL? You two are no fun!

Mike you are the perfect SME. I had planned to telework, but if we are hosting this, will come in for it. We'll work details with Michelle and keep you both posted.

From: Petterson, Jeanine
Sent: Friday, March 24, 2017 10:42 AM
To: Hillenburg, Mike <Mike.Hillenburg@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

YES please!

From: Hillenburg, Mike
Sent: Friday, March 24, 2017 10:41 AM

To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Cc: Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Stacie,

I'm sure that you already thought about this, but… as much as we can hold the conversation to Drayton and only Drayton… that would be great.

Thanks,

Mike

From: Greff, Stacie
Sent: Friday, March 24, 2017 10:36 AM
To: Hillenburg, Mike <Mike.Hillenburg@fema.dhs.gov>; Grimm, Michael <Michael.Grimm@fema.dhs.gov>; Block, Michelle <michelle.block@fema.dhs.gov>; Trytten, Dana <Dana.Trytten@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Armeni, Damon <damon.armeni@fema.dhs.gov>; Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>
Cc: Wright, Roy <Roy.Wright@fema.dhs.gov>; Gill, Michael <michael.gill@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

We'll work with HQ Leg Affairs on key details. Region will plan to serve as primary on the call. Thanks.
Stacie

Stacie Greff
External Affairs Director
FEMA Region VIII
303.235.4774 (desk)
303.941.8668 (cell)
Stacie.Greff@fema.dhs.gov

From: Hillenburg, Mike
Sent: Friday, March 24, 2017 10:34 AM
To: Grimm, Michael <Michael.Grimm@fema.dhs.gov>; Block, Michelle <michelle.block@fema.dhs.gov>; Trytten, Dana <Dana.Trytten@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Armeni, Damon <damon.armeni@fema.dhs.gov>; Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Wright, Roy <Roy.Wright@fema.dhs.gov>; Gill, Michael <michael.gill@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

This is my understanding from the Region's follow up discussion with Roy yesterday.

From: Grimm, Michael
Sent: Friday, March 24, 2017 10:32 AM

To: Block, Michelle <michelle.block@fema.dhs.gov>; Trytten, Dana <Dana.Trytten@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Armeni, Damon <damon.armeni@fema.dhs.gov>; Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Wright, Roy <Roy.Wright@fema.dhs.gov>; Hillenburg, Mike <Mike.Hillenburg@fema.dhs.gov>; Gill, Michael <michael.gill@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

I suggest that Region take the lead since Nancy is signing the letter and we want to maintain the regional leadership and connectivity with State and delegation. If you want me on the call, and/or to take lead in discussion, am glad to do so and otherwise support.

Michael M. Grimm
Assistant Administrator for Mitigation
Federal Emergency Management Agency

From: Block, Michelle
Sent: Friday, March 24, 2017 12:19 PM
To: Trytten, Dana <Dana.Trytten@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Armeni, Damon <damon.armeni@fema.dhs.gov>; Grimm, Michael <Michael.Grimm@fema.dhs.gov>; Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Wright, Roy <Roy.Wright@fema.dhs.gov>; Hillenburg, Mike <Mike.Hillenburg@fema.dhs.gov>; Gill, Michael <michael.gill@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Thanks Dana. I will contact the delegations and send out a calendar invite once a time has been confirmed. Just to confirm, will HQ RMD or R8 be taking the lead on the call to discuss the grace period determination?

Thank you,
Michelle

From: Trytten, Dana
Sent: Friday, March 24, 2017 12:10 PM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Armeni, Damon <damon.armeni@fema.dhs.gov>; Grimm, Michael <Michael.Grimm@fema.dhs.gov>; Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>; Block, Michelle <michelle.block@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Wright, Roy <Roy.Wright@fema.dhs.gov>; Hillenburg, Mike <Mike.Hillenburg@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Hi Nancy,
Update
That is correct. Michelle Block with HQ Congressional Affairs will coordinate the call with the ND Congressional delegation staff, coordinating with the Region.

Thanks,

Dana

From: Dragani, Nancy
Sent: Friday, March 24, 2017 12:06 PM
To: Armeni, Damon <damon.armeni@fema.dhs.gov>; Grimm, Michael <Michael.Grimm@fema.dhs.gov>; Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Wright, Roy <Roy.Wright@fema.dhs.gov>; Hillenburg, Mike <Mike.Hillenburg@fema.dhs.gov>; Trytten, Dana <Dana.Trytten@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Damon, Mike, et al

To confirm, HQ Leg Affairs will conduct the conference call on Monday with all three ND offices.

If possible, I'd like to have R8 mitigation leadership on the call. I will be in a travel status so may be challenged to participate.

Does it make sense to have the state EMA on the call in a listening mode? If not, what is the action to notify the state?

Regards, Nancy

Sent from my iFEMA mobile device.

From: Armeni, Damon
Sent: Friday, March 24, 2017 9:33:59 AM
To: Grimm, Michael; Dragani, Nancy; Petterson, Jeanine
Cc: Greff, Stacie; Wright, Roy; Hillenburg, Mike; Trytten, Dana
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

That works, alternatively I can have my team do the simultaneous call to the Members' offices.

It is unlikely we will get them all on the line for a conference call, but we will try.

Dana, please have the team reach out to the three ND offices for a time they can all participate in a call on Monday. Tell them that it is regarding our decision on Drayton levy.

Sent from my iFEMA mobile device.

From: Grimm, Michael
Sent: Friday, March 24, 2017 9:30:14 AM
To: Dragani, Nancy; Petterson, Jeanine; Armeni, Damon
Cc: Greff, Stacie; Wright, Roy; Hillenburg, Mike
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Damon- In follow-up to the meeting yesterday with the Senator, Roy would like to have "us" do a ND delegation staff level call to inform them at the same time of the 30-day grace period (draft letter attached) response letter that Nancy will sign.

Nancy/Jeanine- this call can be led by the region. If you'd like me on the call let me know or to otherwise support.

Ideally this call would happen on Monday.

Thanks

Michael M. Grimm
Assistant Administrator for Mitigation
Federal Emergency Management Agency

From: Dragani, Nancy
Sent: Thursday, March 02, 2017 6:53 PM
To: Wright, Roy <Roy.Wright@fema.dhs.gov>; Grimm, Michael <Michael.Grimm@fema.dhs.gov>; Petterson, Jeanine <Jeanine.Petterson@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Thanks Roy. Stacie Greff, Regional EA and I were just speculating about the outcome of your call.

Hope all is well in DC.

Regards, Nancy

Sent from my iFEMA mobile device.

From: Wright, Roy
Sent: Thursday, March 02, 2017 5:37:57 PM
To: Dragani, Nancy; Grimm, Michael; Petterson, Jeanine
Subject: RE: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee

Quick read back on the call with Heitkamp (someone will follow with more details).

I told her that FEMA would not take action in Drayton "during a flood fight."

I told her that I need to see the request from the state about any extension. Last summer the state/community told me they had a solution in the works; give us 6 months. Any further action would require FEMA to see the new extension request.

Ultimately, I told the senator she needs a legislative solution — either broad based language like Hoeven offered on the approps bill or address specific like BW-12.

She committed to stay in touch with me. I assured her that we would engage her office before any final decisions were made.

All times listed are in the following time zone:(UTC-05:00) Eastern Time (US & Canada)

From: Block, Michelle
Sent: Tuesday, February 28, 2017 3:16:50 PM
To: Block, Michelle; Wright, Roy
Cc: Coons, Heather; FEMA-ActionOffice-FIMA; Armeni, Damon; Trytten, Dana; Koshgarian, Susan; Johnson, Jerald; Burris, Greggory
Subject: HOLD: Roy's call with Sen. Heitkamp on Drayton, ND levee
When: Thursday, March 02, 2017 2:45 PM-3:00 PM.
Where: Roy to call Sen. Heitkamp

Request from Sen. Heitkamp's office: "She wants to discuss the levee situation in Drayton, ND. FEMA has set a deadline in April for the city to remove the levee but the Senator is very concerned about the timing of that given current projections from the NWS for major flooding in this region."

Date: March 2
Time: 2:45 p.m. (scheduler anticipates a 15 minute phone call)
Phone Number: 202-224-9889

Background Info: Pasted below is FEMA's response to a related QFR in 2016.

Question: The city of Drayton, North Dakota, has been directed by the Federal Emergency Management Agency (FEMA) to remove a levee that is currently on some properties that were purchased in 1997 utilizing funding through the Hazard Mitigation Grant. This levee has been in place for more than 15 years, but it was only recently reported by the state. I understand the city has signed a corrective action plan that would require removal of sections of the levee on these properties later this year, but may be requesting an extension. If an extension is requested, would FEMA grant that extension? If granted, what assistance or accommodations could FEMA provide to the

city to make sure it has flood protection yet conforms to the open space requirements under the deed restrictions?

Response: FEMA recently received the extension request from the City of Drayton via the State of North Dakota. The state expressed their support for granting the extension. The city provided a sufficient rationale for the extension request and FEMA notified the state of the extension approval via letter on July 22nd.

From: Floyd, Megan
Sent: 1 Feb 2017 11:40:46 -0500
To: Greff, Stacie
Subject: RE: Indian Affairs Committee

Happy to do it.

From: Greff, Stacie
Sent: Wednesday, February 01, 2017 9:11 AM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

Thanks for handling. I do fell the Wyoming thing was just a shiny object that we didn't need to add into the mix. Thanks full pulling. No Randy felt strongly but from a big picture stand point, too weedy.

From: Floyd, Megan
Sent: Wednesday, February 01, 2017 8:26 AM
To: Krikava, Richard <Richard.Krikava@fema.dhs.gov>
Cc: Trytten, Dana <Dana.Trytten@fema.dhs.gov>; Booth, Milo <milo.booth@fema.dhs.gov>; Nelson, Jason <Jason.Nelson2@fema.dhs.gov>; Cirillo, Laura <laura.cirillo@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>; Welch, Randy <Randy.Welch@fema.dhs.gov>; Hunter, Cynthia <Cynthia.Hunter@fema.dhs.gov>; Stephenson, James R <James.Stephenson@fema.dhs.gov>; Garcia, Carol <carol.garcia@fema.dhs.gov>
Subject: RE: Indian Affairs Committee

Richard,

Below is our background information on tribal issues and possible FEMA issues for the five Senators from our region who are on the Indian Affairs committee. I am sending because Randy is out this morning. Let us know if you need anything else.

Megan Floyd
FEMA Region VIII
(303) 235-4638 Desk
(303) 945-6367 Cell
megan.floyd@fema.dhs.gov

Tribal Issues:

1) Standing Rock: Dakota Access Pipeline Protests - There have been no official requests for FEMA assistance from the tribe or the state

   Background: On April 1, 2016, people began to gather and protest the construction of the Dakota Access Pipeline just north of the Standing Rock Reservation border. Protest crowds were estimated at over 10,000 (*NY Times*) during their peak. Since December 2016, when the Army Corps of Engineers did not approve the easement necessary to permit the pipeline to cross under Lake Oahe, the numbers at the protest camps have fallen to around 500 (+/-). Due to the significant crowd size, North Dakota provided additional law enforcement resulting in

substantial costs to the state Office of Homeland Security. In October, the State of North Dakota started to talk about using the Emergency Management Assistance Compact (EMAC) to support the law enforcement efforts. Ultimately other states did provide support to the state. In late September, Senator Hoeven spoke with former Administer Fugate regarding the need to provide financial assistance to the state to support law enforcement. North Dakota has not made any official requests of FEMA for assistance. The Standing Rock Sioux Tribe has not reached out to FEMA for assistance either. At this time, both the Standing Rock Sioux Tribe and the State of North Dakota have called on protestors to leave the protest site and return home based on concerns for spring flooding and the impacts of the protest camp on the local community. FEMA is not engaged on the issue beyond passive monitoring. See most recent news article quoting Senator Hoeven below. Note the situation remains in flux.

2) Rocky Boy's: Office of the Inspector General (OIG) Audit

In 2010, the Chippewa Cree of the Rocky Boy's Reservation was a direct grantee for DR-1922. Following the event, numerous issues have arisen with the misuse of FEMA funding, as well as other federal grant funds. The Montana U.S. Attorney's office has prosecuted several tribal members, officials and contractors. THE DHS OIG also has been involved with audits of FEMA's Public Assistance grants to the tribe for several years. In mid-January, the region received notice that the OIG will conduct another audit related to funds provided to the tribe for the health clinic that was destroyed during the disaster.

3) Emergency Management Performance Grant Program (EMPG): Funds are not available directly to tribal governments

Tribes across Region VIII have been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their emergency management programs and in some cases some funds trickle down to tribes; however, the tribes do not have direct access to these funds. The tribes in Region VIII have expressed concerns about the requirements for receiving a direct Presidential Emergency or Major Disaster declaration because they do not have access to grant program funds to support the development of their emergency management programs and internal capacity.

Additional BIA officers to be dispatched to ND to assist with DAPL protests

KFYR-TV, Bismarck
Posted: Fri 5:00 PM, Jan 27, 2017 |
Updated: Fri 5:02 PM, Jan 27, 2017

WASHINGTON, D.C. - Senator John Hoeven announced Friday the Bureau of Indian Affairs has dispatched 20 additional officers to North Dakota to help state and local law enforcement at the Dakota Access Pipeline protest sites.

This will bring the total number of BIA officers at the site to 40.

"We're working to get more federal law enforcement assistance to work with state and local law enforcement officers. The BIA has committed to provide an additional 20 officers, who should be there this weekend. In addition, we're working with both the Department of Homeland Security and the Department of Justice to provide additional resources as well," Hoeven said.

Member backgrounds:

John Hoeven, Member - Chairman (ND): Senator Hoeven knows FEMA well from disasters during his ten years as governor (2000-2010) plus now being in his seventh year as Senator, including heading oversight of DHS funding on Homeland Security. He has several FEMA-related concerns.

- His prime issue at present is likely to be the Dakota Access Pipeline project. He was a sponsor of legislation supporting the Keystone XL pipeline before the current situation with the Dakota Access Pipeline, and he recently got the BIA to commit law enforcement officers to help the state's law enforcement at the protest site (which is on land leased to the U.S. Army Corps of Engineers).
- A huge overarching concern for him is furthering the Fargo diversion project and the Minot flood protection system. Fargo is the state's largest city, and Minot is Senator Hoeven's hometown (which flooded badly in 2011). The Fargo-Moorhead Diversion is a proposed project to have the US Army Corps of Engineers built storage capacity and a diversion channel around Fargo for flood protection. It is a long-standing issue with a great deal of political interest. A number of parties have voiced opposition to the project, including areas south of Fargo and the State of Minnesota. An issue related to both flood control measures is how these projects can work in coordination with flood insurance requirements and premium increases in both communities. Sen. Hoeven has been vocal in his assurances that FEMA will make every effort to support this effort. The draft of a new Minot flood map should be out in a few months, and it will likely show that 5,000+ could be in the new floodplain, an "economic disaster" according to local officials. R8 has been in regular communication with the local floodplain administrator to help advise how the community can minimize premium increases until flood protection is in place, a prospect that is years away even by the most optimistic projections.
- Senator Hoeven has been instrumental in preserving a "basement exception" for certain homes in the Fargo area and 14 other jurisdictions in North Dakota – an issue that was raised to HQ FIMA. The homes in question were specially constructed to provide high-standard basement floodproofing. The "exception" allows these homes to be rated for insurance purposes as if the basement didn't exist, resulting in significantly lower premiums. The city has expressed concern about how the new NFIP legislation might impact the basement exception, as well as how the new flood maps might impact it.
- He will also be concerned about potential flooding in North Dakota this spring. The state's snowpack is running higher than normal, reminiscent of previous flood years. The snowpack is particularly high around Devils Lake, a large closed-basin system (second only to Great Salt Lake) that has been in a 30-year wet cycle, hemmed in largely by a levee and roads that have been raised again and again, largely with FEMA funds.

John Barrasso, Member (WY): No FEMA-related issues. After a quick scan, I think we have only had one inquiry from his office in five years (an NFIP inquiry). The state has had almost no disasters because of its small population scattered over a wide area. The only recent disaster in the state is the 2015 IA and PA declaration for flooding and severe storms in two counties. The disaster gave almost $1.3 million in Individual Assistance to more than 300 households, and $2.6 million for Public Assistance. However, following the declaration, the state's lone congressional office raised the issue of how a FEMA-designated advocate for rural and small states might be able to assist states like theirs in obtaining declarations. The position was written into law years ago by the previous Wyoming congressional representative in response to FEMA's denial of a request involving the small community of Kaycee, but

FEMA had not actually designated such an advocate until the issue was raised again in 2015. Currently, FEMA advocacy for small and rural states is handled by HQ IGA. FYI: Barrasso is a former orthopedic surgeon from Casper who was sworn into office in 2007, elected in 2008, and reelected to a full term in 2012…. The state PIO has frequently noted that the state sees cyber-security as a high priority.

Steve Daines, Member (MT): Daines has several relatively mild issues that relate to FEMA.

- He and Senator Tester sponsored the Wildfire Disaster Funding Act, which would establish a Forest Service fund to fight wildfires like FEMA's disaster fund.
- Eastern Montana includes part of the Bakken oil play that has greatly affected North Dakota. Since a considerable amount of the oil moves to the West Coast by train through Montana, the issues of potentially explosive oil spills, awareness of oil shipments, and training to respond to such incidents are a concern in the state. Current low oil prices have reduced the furious rate of the boom, but oil shipments by rail are still up hugely over past rates.
- A longstanding PA project near Laurel, just west of Billings along I-90, stems from the 2011 flood along the Yellowstone River. The riverbed shifted enough that the town's water intake would often be above water and useless at times of low water (typically August). Now that engineering and permitting issues have finally been settled, construction is underway. However, the 25% state/local share is a problem. The intake will cost about $9 million, meaning a $2.2 million state/local share, and neither the locals nor the state has the money, barring a special appropriation by the state. The state legislature came within one vote of passing such an appropriation on the last day of the session two years ago. (The legislature only meets every other year.) The legislature is now in session again, and both legislators and Laurel residents asked Daines' office for help. Laura Cirillo, our regional PA expert, Cynthia Hunter and I recently had a teleconference with Daines' Montana staffer Nathan Adams and his D.C. colleague Matthew Ketron to answer their questions about how the decisions were made, whether the state had visibility throughout, whether the state could say when something was getting too expensive, etc.
    - We explained that although we could talk to the congressionals, as feds to feds, the legislature needed to talk to the Montana Department of Emergency Services.
    - We briefly explained the history of the situation, including the previous intake that had to be replaced, and that we had funded a study that looked at 40-50 different options, then settled on three for more intensive review; then the design, reviews, permitting, etc. all took more time.
    - The money has been obligated. The staffers asked what happened if the work was not completed. Our PA specialist said we could and would take the money back from the state. (So, in effect, the state needs to come up with $2.2 million to prevent in theory $9 million from being taken back.)

FYI: Daines was a former manager for Procter & Gamble, then part of his family's construction business in Bozeman, then executive in a software company that became Bozeman's largest commercial employer. He was elected to the House of Representatives in 2012, then to the Senate in 2014.

Jon Tester, Member (MT) (note it is "Jon," not "John"): Tester's office has been the most active office with FEMA, always on friendly terms.

- Like Daines, he is concerned about funding to fight wildfires.
- Remapping of floodplains and rising flood insurance rates are major sources of concern

- His office has raised concerns about uncertified levees that provide some protection to residents but are not likely to pass muster when the areas are remapped, which will leave significant numbers of residents in high-risk zones and unable to afford the premiums. This issue is most notable in Great Falls, which is threatened by the Sun River, and the eastern plains town of Roundup, threatened by the Milk River.

FYI: Tester is a rancher from the Plains area who grew up near the Rocky Boys reservation and has close friends among the tribe. He is a former music teacher and former president of the Montana state senate. He and his wife also ran a custom butcher shop, and his official bio says he "still butchers his own meat and regularly hauls it to Washington with him in a carry-on suitcase." Tester was elected in 2006 and re-elected in 2012.

Heidi Heitkamp, Member (ND): Heitkamp seems to be conflicted about the Dakota Pipeline situation. Her official bio emphasizes that she will "stand up for Native American families and make sure the U.S. government lives up to its treaty and trust responsibilities." However, she is also a former director of the one-of-a-kind Dakota Gasification synfuels plant, and her bio describes her as a longtime "champion for North Dakota's energy jobs and industry." After President Trump's recent executive orders supporting both Keystone XL and the Dakota Pipeline, Heitkamp put out a press release citing the good news for Keystone – but did not mention the Dakota Pipeline. Like Hoeven, she supports the Fargo diversion and the Minot flood protection projects, and will be concerned about potential flooding in the state this spring. She also has focused on the issue of oil transportation safety, and urged FEMA to do so as well. The volume of crude oil moving by rail quadrupled in less than a decade because of increased production. Lower oil prices have given at least a temporary respite to the frenetic growth of the past several years in the western part of the state, but crude oil traffic by rail remains very high by historic standards. The volume of oil rail transport across North Dakota has increased concern from state, local and tribal emergency managers about a lack of visibility on transport through their areas and ability to handle the potentially devastating accidents. This was heightened by a December 30, 2013, train derailment and crude oil explosion near Casselton (near Fargo, in eastern North Dakota).

From: Greff, Stacie
Sent: 1 Feb 2017 17:05:17 +0000
To: Floyd, Megan
Subject: RE: Indian Affairs Committee

Wow. Talk about misspelling and grammar. Got to love the iPhone spelling option...

Sent from my iFEMA mobile device.

From: Floyd, Megan
Sent: Wednesday, February 01, 2017 4:40:46 PM
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Subject: RE: Indian Affairs Committee

Happy to do it.

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Cc: Trytten, Dana <Dana.Trytten@fema.dhs.gov>; Booth, Milo <milo.booth@fema.dhs.gov>; Nelson, Jason <Jason.Nelson2@fema.dhs.gov>; Cirillo, Laura <laura.cirillo@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>; Welch, Randy <Randy.Welch@fema.dhs.gov>; Hunter, Cynthia <Cynthia.Hunter@fema.dhs.gov>; Stephenson, James R <James.Stephenson@fema.dhs.gov>; Garcia, Carol <carol.garcia@fema.dhs.gov>
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Megan Floyd
FEMA Region VIII

(303) 235-4638 Desk
(303) 945-6367 Cell
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1) Standing Rock: Dakota Access Pipeline Protests - There have been no official requests for FEMA assistance from the tribe or the state

   Background: On April 1, 2016, people began to gather and protest the construction of the Dakota Access Pipeline just north of the Standing Rock Reservation border. Protest crowds were estimated at over 10,000 (*NY Times*) during their peak. Since December 2016, when the Army Corps of Engineers did not approve the easement necessary to permit the pipeline to cross under Lake Oahe, the numbers at the protest camps have fallen to around 500 (+/-). Due to the significant crowd size, North Dakota provided additional law enforcement resulting in substantial costs to the state Office of Homeland Security. In October, the State of North Dakota started to talk about using the Emergency Management Assistance Compact (EMAC) to support the law enforcement efforts. Ultimately other states did provide support to the state. In late September, Senator Hoeven spoke with former Administer Fugate regarding the need to provide financial assistance to the state to support law enforcement. North Dakota has not made any official requests of FEMA for assistance. The Standing Rock Sioux Tribe has not reached out to FEMA for assistance either. At this time, both the Standing Rock Sioux Tribe and the State of North Dakota have called on protestors to leave the protest site and return home based on concerns for spring flooding and the impacts of the protest camp on the local community. FEMA is not engaged on the issue beyond passive monitoring. See most recent news article quoting Senator Hoeven below. Note the situation remains in flux.

2) Rocky Boy's: Office of the Inspector General (OIG) Audit

   In 2010, the Chippewa Cree of the Rocky Boy's Reservation was a direct grantee for DR-1922. Following the event, numerous issues have arisen with the misuse of FEMA funding, as well as other federal grant funds. The Montana U.S. Attorney's office has prosecuted several tribal members, officials and contractors. THE DHS OIG also has been involved with audits of FEMA's Public Assistance grants to the tribe for several years. In mid-January, the region received notice that the OIG will conduct another audit related to funds provided to the tribe for the health clinic that was destroyed during the disaster.

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   Tribes across Region VIII have been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their emergency management programs and in some cases some funds trickle down to tribes; however, the tribes do not have direct access to these funds. The tribes in Region VIII have expressed concerns about the requirements for

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John Hoeven, Member - Chairman (ND): Senator Hoeven knows FEMA well from disasters during his ten years as governor (2000-2010) plus now being in his seventh year as Senator, including heading oversight of DHS funding on Homeland Security. He has several FEMA-related concerns.

- His prime issue at present is likely to be the Dakota Access Pipeline project. He was a sponsor of legislation supporting the Keystone XL pipeline before the current situation with the Dakota Access Pipeline, and he recently got the BIA to commit law enforcement officers to help the state's law enforcement at the protest site (which is on land leased to the U.S. Army Corps of Engineers).
- A huge overarching concern for him is furthering the Fargo diversion project and the Minot flood protection system. Fargo is the state's largest city, and Minot is Senator Hoeven's hometown (which flooded badly in 2011). The Fargo-Moorhead Diversion is a proposed project to have the US Army Corps of Engineers built storage capacity and a diversion channel around Fargo for flood protection. It is a long-standing issue with a great deal of political interest. A number of parties have voiced opposition to the project, including areas south of Fargo and the State of Minnesota. An issue related to both flood control measures is how these projects can work in coordination with flood insurance requirements and premium increases in both communities. Sen. Hoeven has been vocal in his assurances that FEMA will make every effort to support this effort. The draft of a new Minot flood map should be out in a few months, and it will likely show that 5,000+ could be in the new floodplain, an "economic disaster" according to local officials. R8 has been in regular communication with the local floodplain administrator to help advise how the community can minimize premium

increases until flood protection is in place, a prospect that is years away even by the most optimistic projections.

- Senator Hoeven has been instrumental in preserving a "basement exception" for certain homes in the Fargo area and 14 other jurisdictions in North Dakota – an issue that was raised to HQ FIMA. The homes in question were specially constructed to provide high-standard basement floodproofing. The "exception" allows these homes to be rated for insurance purposes as if the basement didn't exist, resulting in significantly lower premiums. The city has expressed concern about how the new NFIP legislation might impact the basement exception, as well as how the new flood maps might impact it.
- He will also be concerned about potential flooding in North Dakota this spring. The state's snowpack is running higher than normal, reminiscent of previous flood years. The snowpack is particularly high around Devils Lake, a large closed-basin system (second only to Great Salt Lake) that has been in a 30-year wet cycle, hemmed in largely by a levee and roads that have been raised again and again, largely with FEMA funds.

John Barrasso, Member (WY): No FEMA-related issues. After a quick scan, I think we have only had one inquiry from his office in five years (an NFIP inquiry). The state has had almost no disasters because of its small population scattered over a wide area. The only recent disaster in the state is the 2015 IA and PA declaration for flooding and severe storms in two counties. The disaster gave almost $1.3 million in Individual Assistance to more than 300 households, and $2.6 million for Public Assistance. However, following the declaration, the state's lone congressional office raised the issue of how a FEMA-designated advocate for rural and small states might be able to assist states like theirs in obtaining declarations. The position was written into law years ago by the previous Wyoming congressional representative in response to FEMA's denial of a request involving the small community of Kaycee, but FEMA had not actually designated such an advocate until the issue was raised again in 2015. Currently, FEMA advocacy for small and rural states is handled by HQ IGA. FYI: Barrasso is a former orthopedic surgeon from Casper who was sworn into office in 2007, elected in 2008, and reelected to a full term in 2012…. The state PIO has frequently noted that the state sees cyber-security as a high priority.

Steve Daines, Member (MT): Daines has several relatively mild issues that relate to FEMA.

- He and Senator Tester sponsored the Wildfire Disaster Funding Act, which would establish a Forest Service fund to fight wildfires like FEMA's disaster fund.
- Eastern Montana includes part of the Bakken oil play that has greatly affected North Dakota. Since a considerable amount of the oil moves to the West Coast by train through Montana, the issues of potentially explosive oil spills, awareness of oil shipments, and training to respond to such incidents are a concern in the state. Current low oil prices have reduced the furious rate of the boom, but oil shipments by rail are still up hugely over past rates.
- A longstanding PA project near Laurel, just west of Billings along I-90, stems from the 2011 flood along the Yellowstone River. The riverbed shifted enough that the town's water intake would often be above water and useless at times of low water (typically August). Now that engineering and permitting issues have finally been settled, construction is underway. However, the 25% state/local share is a problem. The intake will cost about $9 million, meaning a $2.2 million state/local share, and neither the locals nor the state has the money, barring a special appropriation by the state. The state legislature came within one vote of passing such an appropriation on the last day of the session two years ago. (The legislature only meets every other year.) The

legislature is now in session again, and both legislators and Laurel residents asked Daines' office for help. Laura Cirillo, our regional PA expert, Cynthia Hunter and I recently had a teleconference with Daines' Montana staffer Nathan Adams and his D.C. colleague Matthew Ketron to answer their questions about how the decisions were made, whether the state had visibility throughout, whether the state could say when something was getting too expensive, etc.

- We explained that although we could talk to the congressionals, as feds to feds, the legislature needed to talk to the Montana Department of Emergency Services.
- We briefly explained the history of the situation, including the previous intake that had to be replaced, and that we had funded a study that looked at 40-50 different options, then settled on three for more intensive review; then the design, reviews, permitting, etc. all took more time.
- The money has been obligated. The staffers asked what happened if the work was not completed. Our PA specialist said we could and would take the money back from the state. (So, in effect, the state needs to come up with $2.2 million to prevent in theory $9 million from being taken back.)

FYI: Daines was a former manager for Procter & Gamble, then part of his family's construction business in Bozeman, then executive in a software company that became Bozeman's largest commercial employer. He was elected to the House of Representatives in 2012, then to the Senate in 2014.

Jon Tester, Member (MT) (note it is "Jon," not "John"): Tester's office has been the most active office with FEMA, always on friendly terms.

- Like Daines, he is concerned about funding to fight wildfires.
- Remapping of floodplains and rising flood insurance rates are major sources of concern
- His office has raised concerns about uncertified levees that provide some protection to residents but are not likely to pass muster when the areas are remapped, which will leave significant numbers of residents in high-risk zones and unable to afford the premiums. This issue is most notable in Great Falls, which is threatened by the Sun River, and the eastern plains town of Roundup, threatened by the Milk River.

FYI: Tester is a rancher from the Plains area who grew up near the Rocky Boys reservation and has close friends among the tribe. He is a former music teacher and former president of the Montana state senate. He and his wife also ran a custom butcher shop, and his official bio says he "still butchers his own meat and regularly hauls it to Washington with him in a carry-on suitcase." Tester was elected in 2006 and re-elected in 2012.

Heidi Heitkamp, Member (ND): Heitkamp seems to be conflicted about the Dakota Pipeline situation. Her official bio emphasizes that she will "stand up for Native American families and make sure the U.S. government lives up to its treaty and trust responsibilities." However, she is also a former director of the one-of-a-kind Dakota Gasification synfuels plant, and her bio describes her as a longtime "champion for North Dakota's energy jobs and industry." After President Trump's recent executive orders supporting both Keystone XL and the Dakota Pipeline, Heitkamp put out a press release citing the good news for Keystone – but did not mention the Dakota Pipeline. Like Hoeven, she supports the Fargo diversion and the Minot flood protection projects, and will be concerned about potential flooding in the state this spring. She

also has focused on the issue of oil transportation safety, and urged FEMA to do so as well. The volume of crude oil moving by rail quadrupled in less than a decade because of increased production. Lower oil prices have given at least a temporary respite to the frenetic growth of the past several years in the western part of the state, but crude oil traffic by rail remains very high by historic standards. The volume of oil rail transport across North Dakota has increased concern from state, local and tribal emergency managers about a lack of visibility on transport through their areas and ability to handle the potentially devastating accidents. This was heightened by a December 30, 2013, train derailment and crude oil explosion near Casselton (near Fargo, in eastern North Dakota).

From: Hunter, Cynthia
Sent: 22 Mar 2017 17:16:41 +0000
To: Greff, Stacie
Cc: Floyd, Megan
Subject: RE: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

Copy. Thanks.

From: Greff, Stacie
Sent: Wednesday, March 22, 2017 11:14 AM
To: Hunter, Cynthia <Cynthia.Hunter@fema.dhs.gov>; Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: FW: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

For visibility. No action at this point.

Sent from my iFEMA mobile device.

From: Greff, Stacie
Sent: Tuesday, March 21, 2017 9:30:24 PM
To: Dragani, Nancy
Cc: Deal, Timothy; Carroll, Thomas; Dombrowski, Justin
Subject: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

Nancy – I connected with HQ Leg Affairs on this. This originated when Sharon Loper joined Alex Amparo for some hill visits relating to tribal, and he felt it went well. The idea was thrown out primarily by Recovery for potential future opportunities. There is not an expectation or requirement from Legislative Affairs. However, if it is something that you are interested in doing (meeting with staffers from key hill offices), then they will staff you and we will ensure that relevant background information (tribal & more) is prepped ahead of time for you.

My suggestion is that you chat with Alex if he is there with you and easily assessable to discuss how he feels at this point. Leg Affairs made the point of letting me know they had just cleared all the asks from the Senate hearing about a month ago on tribal where Alex testified.

Leg Affairs staff can make the visits happen in April when you are there, or we can explore other opportunities in the future. It really is your call on timing. I think the staff visits are good, but it depends on what else is scheduled for you that week as it will take some time.

Thanks. Stacie

Stacie Greff
External Affairs Director
FEMA Region VIII
303.235.4774 (desk)

303.941.8668 (cell)
Stacie.Greff@fema.dhs.gov

From: Dragani, Nancy
Sent: Thursday, March 02, 2017 1:11 PM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: FW: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

For your visibility and coordination. It looks like this is focused on Tribal but I would expect other issues (levees, DAPL, flood insurance) may come up as well.

I am in DC that week so assume that is why they selected those dates.

Nancy

Sent from my iFEMA mobile device.

From: Edge, Elizabeth
Sent: Thursday, March 02, 2017 10:55:41 AM
To: Dragani, Nancy
Subject: FW: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

FYI – I'm sure someone will be contacting you soon… In the message below, Jessica Specht is referring to Alex Amparo.

Elizabeth R. Edge
Director, Office of Regional Operations
DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Thursday, March 02, 2017 10:49 AM
To: Brewster, Jared
Cc: Windle, William; Booth, Milo; Valteau, Margeau; Edge, Elizabeth; Eswood, Louis; Blanchard-Mbangah, Shauna M; Jenkins, Christy; Salem, Lindy
Subject: RE: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

Hi Jared,

I got to talk with Alex more about these potential engagements today. He would like to set-up hill visits with the remaining RAs, if possible. Ideally, tribal is a part of the discussion, but he'd like to participate in the conversations regardless. Based on their schedules and my initial research, I'd recommend the

following visits for R8 RA Nancy Dragani for 4/5. However, I welcome your feedback on whether you all think these are the right folks. If so, per my conversation with Michelle about process, can you please begin working with CAD Regional staff on this?

Region VIII
John Hoeven, ND - SHSGAC, Chairman of Senate Indian Affairs Committee, Appropriations HS Subcomm.
Jon Tester, MT - SHSGAC, Senate Indian Affairs Committee, Ranking Member of Appropriations HS Subcomm.
Heidi Heitkamp, ND – SHSGAC, Senate Indian Affairs Committee
Steve Daines, MT- SHSGAC, Senate Indian Affairs Committee

Looping in Lindy and Christy for help with scheduling and others for awareness.

Thank you,

Jessica

Jessica Specht (Steinbeck)
Tribal Policy Lead, Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Block, Michelle
Sent: Tuesday, February 28, 2017 1:35 PM
To: Edge, Elizabeth <Elizabeth.Edge@fema.dhs.gov>; Specht, Jessica <jessica.specht@fema.dhs.gov>
Cc: Windle, William <William.Windle@fema.dhs.gov>; Brewster, Jared <Jared.Brewster@fema.dhs.gov>; Booth, Milo <milo.booth@fema.dhs.gov>; Valteau, Margeau <margeau.valteau@fema.dhs.gov>
Subject: RE: RA CAD/Tribal Engagement

Hi all,
FYSA during our congressional staff call today with the regions, our deputy director mentioned the success of recent RA meetings on the Hill and asked for regions to consider other ones that may be beneficial when their RAs come to DC.

Best,
Michelle

From: Edge, Elizabeth
Sent: Friday, February 24, 2017 2:21 PM

To: Specht, Jessica <jessica.specht@fema.dhs.gov>
Cc: Windle, William <William.Windle@fema.dhs.gov>; Block, Michelle <michelle.block@fema.dhs.gov>; Brewster, Jared <Jared.Brewster@fema.dhs.gov>; Booth, Milo <milo.booth@fema.dhs.gov>; Valteau, Margeau <margeau.valteau@fema.dhs.gov>
Subject: RE: RA CAD/Tribal Engagement

Thanks very much Jessica. Standing by to hear back from Michelle.

Enjoy the weekend.

Elizabeth R. Edge
Director, Office of Regional Operations
DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Friday, February 24, 2017 1:49 PM
To: Edge, Elizabeth
Cc: Windle, William; Block, Michelle; Brewster, Jared; Booth, Milo; Valteau, Margeau
Subject: RA CAD/Tribal Engagement

Hi Elizabeth,

Nice talking with you too. I raised the potential opportunity for the remaining RAs to have congressional and/or tribal meetings when they are in town. Michelle Block of CAD said she would bring this up to their new Deputy, Damon on their Monday call and get back to us all.

As we discussed, depending on whether we decide these meetings should be just CAD or tribal related or both, I am happy to email the RAs after Monday and CC: Sharon and share the positive experience we had with her yesterday and offer for Alex to meet with them when they are in town, if we decide that is the right approach.

Thank you,

Jessica

Jessica Specht (Steinbeck)
Tribal Policy Lead**,** Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Edge, Elizabeth
Sent: Friday, February 24, 2017 12:46 PM
To: Specht, Jessica <jessica.specht@fema.dhs.gov>
Cc: Windle, William <William.Windle@fema.dhs.gov>
Subject: RE: Proposed response to Franken

Good to chat with you just now.

As I said, theyre all doing their own schedules. Jans only here for a day but maybe another trip? Either way I think it's a great idea for them to do congressional tribal and just regular visits.

Let me know how your meeting with CAD goes and we'll get this working.

Thanks.

Elizabeth R. Edge
Director, Office of Regional Operations
DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Friday, February 24, 2017 12:37 PM
To: Edge, Elizabeth
Cc: Windle, William
Subject: RE: Proposed response to Franken

I understand from Region V staff that Jan is doing her own scheduling? It appears similar opportunities may arise for Mike, Paul, and Nancy do you have a primary POC who is managing these schedules or visibility on that?

Jessica Specht (Steinbeck)
Tribal Policy Lead, Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Edge, Elizabeth
Sent: Friday, February 24, 2017 11:00 AM
To: Specht, Jessica <jessica.specht@fema.dhs.gov>
Cc: Windle, William <William.Windle@fema.dhs.gov>
Subject: RE: Proposed response to Franken

Thanks.

Elizabeth R. Edge
Director, Office of Regional Operations
DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Friday, February 24, 2017 10:47 AM
To: Edge, Elizabeth
Cc: Windle, William
Subject: FW: Proposed response to Franken

FYSA

From: Specht, Jessica
Sent: Friday, February 24, 2017 10:38 AM
To: Peterson, Mark J <Mark.Peterson2@fema.dhs.gov>
Cc: Booth, Milo <milo.booth@fema.dhs.gov>; Sulinckas, William C <William.Sulinckas@fema.dhs.gov>; Block, Michelle <michelle.block@fema.dhs.gov>
Subject: RE: Proposed response to Franken

Hi Mark,

Good to hear from you! I hope you're well. Thanks for clarifying that.

Heads up, yesterday we had Region X Acting RA Sharon Loper come with Alex, Milo, myself and others to the hill to follow-up with Senators Murkowski and Cantwell's staff on their requests from the Senate Indian Affairs Committee Hearing. We understand that your Acting RA, Janet Odeshoo, is the next to rotate to FEMA HQ, so it would be good to set up a similar meeting with Alex, Milo and Franken's staff. Can you point me to the right person for scheduling please?

Copying Bill Sulinckas for viz.

Thank you,

Jessica

Jessica Specht (Steinbeck)
Tribal Policy Lead, Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Floyd, Megan
Sent: 31 Jan 2017 19:43:00 -0500
To: Welch, Randy;Greff, Stacie;Dick, Jennifer;Dombrowski, Justin
Cc: Welch, Randy
Subject: RE: Region VIII Tribal input for Senate Indian Affairs Committee hearing

I am ok with the addition, however this hasn't been an issue for us. The tribe and the state work really well together and the issue of Riverton has not come up in some time.

Sent from my iFEMA mobile device.

From: Welch, Randy
Sent: Wednesday, February 01, 2017 12:39:33 AM
To: Floyd, Megan; Greff, Stacie; Dick, Jennifer; Dombrowski, Justin
Cc: Welch, Randy
Subject: FW: Region VIII Tribal input for Senate Indian Affairs Committee hearing

We should also mention the Riverton issue.

Can I add this?

There is also a legal dispute pending before the 10th Circuit Court of Appeals in Denver about whether the city of Riverton is legally still part of the Wind River Indian Reservation. The dispute stems from a ruling by the Department of Interior, in response to a question by the EPA about what the tribal boundaries were. An Interior lawyer said the sale of some plots of land in the early 1900s did not change the boundaries of the reservation. The state has sued over the issue. A recent article in the *Casper Star-Tribune* said the ruling might not make much practical difference to Riverton, but, "If land that Indian nations agreed to let the federal government sell to non-Indians is still subject to tribal sovereignty, that could have far-reaching implications around the country."

Randy Welch
FEMA Region VIII External Affairs
(303) 235-4619

From: Floyd, Megan
Sent: Tuesday, January 31, 2017 4:47 PM
To: Welch, Randy <Randy.Welch@fema.dhs.gov>
Cc: Garcia, Carol <carol.garcia@fema.dhs.gov>; Stephenson, James R <James.Stephenson@fema.dhs.gov>
Subject: Region VIII Tribal input for Senate Indian Affairs Committee hearing

Randy –

Below are the hot issues related to tribal that could come up. They have been approved by Justin, Stacie and Jen. We are all set to submit.

Thanks

Megan

1) Standing Rock: Dakota Access Pipeline Protests - There have been no official requests for FEMA assistance from the Tribe or the State

   Background: On April 1, 2016, people began to gather and protest the construction of the Dakota Access Pipeline just north of the Standing Rock Reservation border. Protest crowds were estimated at over 10,000 (NYTimes) during their peak. Since December 2016, when the Army Corps of Engineers did not approve the easement necessary to permit the pipeline to cross under Lake Oahe, the numbers at the protest camps have fallen to around 500 (+/-). Due to the significant crowd size, North Dakota provided additional law enforcement resulting in substantial costs to the State office of Homeland Security. In October, the State of North Dakota started to talk about Emergency Management Assistance Compact (EMAC) to support the law enforcement efforts. Ultimately other states did provide support to the State. In late September, Senator Hoeven spoke with former Administer Fugate regarding the need to provide financial assistance to the State to support law enforcement. The State has not made any official requests of FEMA for assistance. The Standing Rock Sioux Tribe has not reached out to FEMA for assistance either. At this time, both the Standing Rock Sioux Tribe and the State of North Dakota have called on protestors to leave the protest site and return home based on concerns for spring flooding and the impacts of the protest camp on the local community. FEMA is not engaged on the issue beyond passive monitoring. See most recent news article quoting Senator Hoeven below.

2) Rocky Boy's: Office of the Inspector General (OIG) Audit

   In 2010, the Chippewa Cree of the Rocky Boy's Reservation was a direct Grantee for DR-1922. Following the event, numerous issues have arisen with the misuse of FEMA funding, as well as other federal grant funds. The Montana U.S. Attorney's office has prosecuted several tribal members, officials and contractors. THE DHS OIG also has been involved with audits of FEMA's Public Assistance grants to the Tribe for several years. In mid-January, the Region received notice that the OIG will conduct another audit related to funds provided to the Tribe for the health clinic that was destroyed during the disaster.

3) Emergency Management Performance Grant Program (EMPG): Funds are not available directly to tribal governments

   Tribes across Region VIII has been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their emergency management programs and in some cases some

funds trickle down to tribes, however, the tribes do not have direct access to these funds. The tribes in Region VIII have expressed concerns about the requirements for receiving a direct Presidential Emergency or Major Disaster declaration because they do not have access to grant program funds to support the development of their emergency management programs and internal capacity.

Additional BIA officers to be dispatched to ND to assist with DAPL protests

KFYR-TV, Bismarck
Posted: Fri 5:00 PM, Jan 27, 2017 |
Updated: Fri 5:02 PM, Jan 27, 2017

WASHINGTON, D.C. - Senator John Hoeven announced Friday the Bureau of Indian Affairs has dispatched 20 additional officers to North Dakota to help state and local law enforcement at the Dakota Access Pipeline protest sites.

This will bring the total number of BIA officers at the site to 40.

"We're working to get more federal law enforcement assistance to work with state and local law enforcement officers. The BIA has committed to provide an additional 20 officers, who should be there this weekend. In addition, we're working with both the Department of Homeland Security and the Department of Justice to provide additional resources as well," Hoeven said.

From: Krikava, Richard
Sent: Thursday, January 26, 2017 3:17:58 PM
To: Norris, Rachael; Deshong, Casey; Hunter, Cynthia; Cappannari, Michael L; Shulman, Dan; Golding, Noah; Rigby, Corey; Murphy, Kendall; Alvarado, Diego
Cc: Trytten, Dana; Booth, Milo
Subject: Senate Indian Affairs Committee

Team:

As you may have heard, we've got a hearing coming up in the Senate Indian Affairs Committee on Feb. 8. In an effort to prepare our witness for questions that may be lobbed at him, could you please take a look at the list of Senators below, and let me know if there are any boogeyman issues related to FEMA out there that might flare up in the hearing (related to Indian Country or otherwise)?

I'm just looking for a few lines on the issues that might be out there, and if we need to dig in deeper, we can go from there.

Something by COB Tuesday, Jan. 31?

Thanks, and call me if you have any questions. (Also, I'm sure our Tribal Branch here at HQ are pinging your Regional Tribal Liaisons, too.)

REPUBLICANS

John Hoeven, Member - Chairman (ND)
John Barrasso, Member (WY)
John McCain, Member (AZ)
Lisa Murkowski, Member (AK)
James Lankford, Member (OK)
Steve Daines, Member (MT)
Michael Crapo, Member (ID)
Jerry Moran, Member (KS)

DEMOCRATS

Tom Udall, Member - Vice Chairman (NM)
John Tester, Member (MT)
Maria Cantwell, Member (WA)
Al Franken, Member (MN)
Brian Schatz, Member (HI)
Heidi Heitkamp, Member (ND)
Catherine Cortez Masto, Member (NV)

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov



From: Greff, Stacie
Sent: 1 Feb 2017 03:02:23 +0000
To: Floyd, Megan;Welch, Randy;Dick, Jennifer;Dombrowski, Justin
Cc: Welch, Randy
Subject: RE: Region VIII Tribal input for Senate Indian Affairs Committee hearing

I would suggest not adding it. It isn't an issue. Better to not make it one.

Sent from my iFEMA mobile device.

From: Floyd, Megan
Sent: Wednesday, February 01, 2017 12:43:00 AM
To: Welch, Randy; Greff, Stacie; Dick, Jennifer; Dombrowski, Justin
Cc: Welch, Randy
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Randy Welch
FEMA Region VIII External Affairs
(303) 235-4619

From: Floyd, Megan
Sent: Tuesday, January 31, 2017 4:47 PM
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Cc: Garcia, Carol <carol.garcia@fema.dhs.gov>; Stephenson, James R <James.Stephenson@fema.dhs.gov>
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Posted: Fri 5:00 PM, Jan 27, 2017 |
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WASHINGTON, D.C. - Senator John Hoeven announced Friday the Bureau of Indian Affairs has dispatched 20 additional officers to North Dakota to help state and local law enforcement at the Dakota Access Pipeline protest sites.

This will bring the total number of BIA officers at the site to 40.

"We're working to get more federal law enforcement assistance to work with state and local law enforcement officers. The BIA has committed to provide an additional 20 officers, who should be there this weekend. In addition, we're working with both the Department of Homeland Security and the Department of Justice to provide additional resources as well," Hoeven said.

From: Krikava, Richard
Sent: Thursday, January 26, 2017 3:17:58 PM
To: Norris, Rachael; Deshong, Casey; Hunter, Cynthia; Cappannari, Michael L; Shulman, Dan; Golding, Noah; Rigby, Corey; Murphy, Kendall; Alvarado, Diego
Cc: Trytten, Dana; Booth, Milo
Subject: Senate Indian Affairs Committee

Team:

As you may have heard, we've got a hearing coming up in the Senate Indian Affairs Committee on Feb. 8. In an effort to prepare our witness for questions that may be lobbed at him, could you please take a look at the list of Senators below, and let me know if there are any boogeyman issues related to FEMA out there that might flare up in the hearing (related to Indian Country or otherwise)?

I'm just looking for a few lines on the issues that might be out there, and if we need to dig in deeper, we can go from there.

Something by COB Tuesday, Jan. 31?

Thanks, and call me if you have any questions. (Also, I'm sure our Tribal Branch here at HQ are pinging your Regional Tribal Liaisons, too.)

REPUBLICANS

John Hoeven, Member - Chairman (ND)
John Barrasso, Member (WY)
John McCain, Member (AZ)
Lisa Murkowski, Member (AK)
James Lankford, Member (OK)
Steve Daines, Member (MT)
Michael Crapo, Member (ID)
Jerry Moran, Member (KS)

DEMOCRATS

Tom Udall, Member - Vice Chairman (NM)
John Tester, Member (MT)
Maria Cantwell, Member (WA)
Al Franken, Member (MN)
Brian Schatz, Member (HI)
Heidi Heitkamp, Member (ND)
Catherine Cortez Masto, Member (NV)

Richard A. Krikava
FEMA, Congressional Affairs
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From: Dombrowski, Justin
Sent: 17 Feb 2017 11:34:31 -0500
To: Greff, Stacie
Subject: RE: RVIII Public-Facing FEMA-Conducted Activities - Final.xlsx

He should have what I put for DRA, you and me awhile back and imported directly into the form and Katie reviewed also...I can take a look again in a bit...

Sent from my mobile device.

From: Greff, Stacie
Sent: Friday, February 17, 2017 8:28:29 AM
To: Dombrowski, Justin
Subject: FW: RVIII Public-Facing FEMA-Conducted Activities - Final.xlsx

He mentioned yesterday that he didn't have much/anything for Nancy/RA position or me/EAD position. I'm going to take a look after talking to Brian about Grand Forks.

Will send DAPL updates in a bit too so you are current.

From: Houston, Michael
Sent: Friday, February 17, 2017 9:04 AM
To: Hunter, Cynthia <Cynthia.Hunter@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RVIII Public-Facing FEMA-Conducted Activities - Final.xlsx

Please let me know if any edits are needed.

I also noticed I don't have an entry for Daniel Green (I believe he's possibly traveling home from SD today?).. any chance we could write a summary of his external coordination and outreach activities?

Thanks..

Mike

From: Dombrowski, Justin
Sent: 17 Feb 2017 12:41:12 -0500
To: Greff, Stacie
Subject: RE: Section 504 data

Will do, Mike, Jerry, Lynn (and me) in arr still...where did u find weird wording?

Sent from my mobile device.

From: Greff, Stacie
Sent: Friday, February 17, 2017 9:38:32 AM
To: Dombrowski, Justin
Subject: RE: Section 504 data

If you will handle this and adjust as needed, I'd appreciate. I'll stay out of it. My key items: DAPL, Corps, ND congressional ask for FEMA person next week, Sisseton.

Note: found wording on this weird - This function falls to each staff person within External Affairs.

From: Dombrowski, Justin
Sent: Friday, February 17, 2017 10:27 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: FW: Section 504 data

The inputs I provided are in but a little juggling (maybe by Katie), seems still fine for Nancy/Tim and ours was cut or consolidated a bit but could see swapping details for you and me for our roles (you as Director)...looking at on my tiny iPhone but think I'm seeing it right :)

Sent from my mobile device.

From: Houston, Michael
Sent: Friday, February 17, 2017 8:41:43 AM
To: R8 External Affairs
Subject: Section 504 data

Good morning everyone..

I've attached the Section 504 spreadsheet that I'll be submitting by COB today; would you take a look at the EA tab and see if there's any information (public-facing activities) that I should add? We have 3 general categories:

- Administration of Program Services and Benefits
- External Coordination and Outreach
- Training and Education Outreach

If I've forgotten to add anyone, please advise and I'll make the changes. Appreciate your time and reviews. Enjoy your day.

Mike

Brent Michael Houston
Regional Disability Integration Specialist
FEMA Region VIII, Denver
202-440-2740
Michael.houston@fema.dhs.gov



From: Appenrodt, Kathleen
Sent: 1 Feb 2017 12:04:24 -0500
To: R8 Division Directors
Subject: State Director Workshop is cancelled

Good morning,

Due to DAPL protests and state legislature sessions discussing potential emergency management budget cuts, only two of our State Directors could participate in the Workshop. As a result, we will be cancelling the event. We will still be holding the RISC on Thursday, February 23, and I'll send out an agenda for that meeting later this week.

Thank you and please let me know if you have any questions,
Katie

Katie Appenrodt
Senior Policy Advisor
FEMA Region VIII
303-235-4775 office
720-666-9835 cell
Kathleen.Appenrodt@fema.dhs.gov

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release January 24, 2017

January 24, 2017

MEMORANDUM FOR THE SECRETARY OF COMMERCE

SUBJECT: Construction of American Pipelines

The Secretary of Commerce, in consultation with all relevant executive departments and agencies, shall develop a plan under which all new pipelines, as well as retrofitted, repaired, or expanded pipelines, inside the borders of the United States, including portions of pipelines, use materials and equipment produced in the United States, to the maximum extent possible and to the extent permitted by law. The Secretary shall submit the plan to the President within 180 days of the date of this memorandum.

"Produced in the United States" shall mean:

(i) With regard to iron or steel products, that all manufacturing processes for such iron or steel products, from the initial melting stage through the application of coatings, occurred in the United States.

(ii) Steel or iron material or products manufactured abroad from semi-finished steel or iron from the United States are not "produced in the United States" for purposes of this memorandum.

(iii) Steel or iron material or products manufactured in the United States from semi-finished steel or iron of foreign origin are not "produced in the United States" for purposes of this memorandum.

The Secretary of Commerce is hereby authorized and directed to publish this memorandum in the *Federal Register*.

DONALD J. TRUMP

# # #

From: Welch, Randy
Sent: 31 Jan 2017 19:49:15 -0500
To: Greff, Stacie
Cc: Dombrowski, Justin;Floyd, Megan;Hunter, Cynthia;Welch, Randy
Subject: draft of memo to Krikava re Indian Affairs Committee

Stacie – I'll be out at the eye doc till 9:30/10 Wednesday. Below is what I have put together to send to Richard Krikava, Dana Trytten and Milo Booth – plus copy to Jason and Laura Cirillo, I suppose. Probably way more than he needed. In the draft below, I included the graph about Riverton, which I think they should be alerted to.

If it is good to go, do you or Megan or Cynthia want to forward it? Or wait till I come in mid-morning?

Randy

P.S. An alternative, shorter version about Riverton would be:

> There is an emerging issue about whether the city of Riverton actually belongs to the Wind River Indian Reservation, an argument the tribe has raised in the past. Three federal agencies, led by the EPA, are saying this is indeed the case. The governor has appealed the EPA's determination.

Richard,

Below is our background information on tribal issues and possible FEMA issues for the five Senators from our region who are on the Indian Affairs committee.

Randy Welch
FEMA Region VIII External Affairs
(303) 235-4619

<u>Tribal Issues:</u>

1) Standing Rock: Dakota Access Pipeline Protests - There have been no official requests for FEMA assistance from the tribe or the state

   Background: On April 1, 2016, people began to gather and protest the construction of the Dakota Access Pipeline just north of the Standing Rock Reservation border. Protest crowds were estimated at over 10,000 (*NY Times*) during their peak. Since December 2016, when the Army Corps of Engineers did not approve the easement necessary to permit the pipeline to cross under Lake Oahe, the numbers at the protest camps have fallen to around 500 (+/-). Due to the significant crowd size, North Dakota provided additional law enforcement resulting in substantial costs to the state Office of Homeland Security. In October, the State of North Dakota started to talk about using the Emergency Management Assistance Compact (EMAC) to support the law enforcement efforts. Ultimately other states did provide support to the state. In late September, Senator Hoeven spoke with former Administer Fugate regarding the need to provide financial assistance to the state to support law enforcement. North Dakota has not

made any official requests of FEMA for assistance. The Standing Rock Sioux Tribe has not reached out to FEMA for assistance either. At this time, both the Standing Rock Sioux Tribe and the State of North Dakota have called on protestors to leave the protest site and return home based on concerns for spring flooding and the impacts of the protest camp on the local community. FEMA is not engaged on the issue beyond passive monitoring. See most recent news article quoting Senator Hoeven below. Note the situation remains in flux.

2) Rocky Boy's: Office of the Inspector General (OIG) Audit

In 2010, the Chippewa Cree of the Rocky Boy's Reservation was a direct grantee for DR-1922. Following the event, numerous issues have arisen with the misuse of FEMA funding, as well as other federal grant funds. The Montana U.S. Attorney's office has prosecuted several tribal members, officials and contractors. THE DHS OIG also has been involved with audits of FEMA's Public Assistance grants to the tribe for several years. In mid-January, the region received notice that the OIG will conduct another audit related to funds provided to the tribe for the health clinic that was destroyed during the disaster.

3) Emergency Management Performance Grant Program (EMPG): Funds are not available directly to tribal governments

Tribes across Region VIII have been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their emergency management programs and in some cases some funds trickle down to tribes; however, the tribes do not have direct access to these funds. The tribes in Region VIII have expressed concerns about the requirements for receiving a direct Presidential Emergency or Major Disaster declaration because they do not have access to grant program funds to support the development of their emergency management programs and internal capacity.

Additional BIA officers to be dispatched to ND to assist with DAPL protests

KFYR-TV, Bismarck
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Updated: Fri 5:02 PM, Jan 27, 2017

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This will bring the total number of BIA officers at the site to 40.

"We're working to get more federal law enforcement assistance to work with state and local law enforcement officers. The BIA has committed to provide an additional 20 officers, who should be there this weekend. In addition, we're working with both the Department of Homeland Security and the Department of Justice to provide additional resources as well," Hoeven said.

4) There is also a legal dispute pending before the 10th Circuit Court of Appeals in Denver about whether the city of Riverton is legally still part of the Wind River Indian Reservation. The dispute stems from a ruling by the Department of Interior, in response to a question by the EPA about what the tribal boundaries were. An Interior lawyer said the sale of some plots of land in the early 1900s did not change the boundaries of the reservation. The state has sued over the issue.

A recent article in the *Casper Star-Tribune* said the ruling might not make much practical difference to Riverton, but, "If land that Indian nations agreed to let the federal government sell to non-Indians is still subject to tribal sovereignty, that could have far-reaching implications around the country."

Member backgrounds:

John Hoeven, Member - Chairman (ND): Senator Hoeven knows FEMA well from disasters during his ten years as governor (2000-2010) plus now being in his seventh year as Senator, including heading oversight of DHS funding on Homeland Security. He has several FEMA-related concerns.

- His prime issue at present is likely to be the Dakota Access Pipeline project. He was a sponsor of legislation supporting the Keystone XL pipeline before the current situation with the Dakota Access Pipeline, and he recently got the BIA to commit law enforcement officers to help the state's law enforcement at the protest site (which is on land leased to the U.S. Army Corps of Engineers).
- A huge overarching concern for him is furthering the Fargo diversion project and the Minot flood protection system. Fargo is the state's largest city, and Minot is Senator Hoeven's hometown (which flooded badly in 2011). The Fargo-Moorhead Diversion is a proposed project to have the US Army Corps of Engineers built storage capacity and a diversion channel around Fargo for flood protection. It is a long-standing issue with a great deal of political interest. A number of parties have voiced opposition to the project, including areas south of Fargo and the State of Minnesota. An issue related to both flood control measures is how these projects can work in coordination with flood insurance requirements and premium increases in both communities. Sen. Hoeven has been vocal in his assurances that FEMA will make every effort to support this effort. The draft of a new Minot flood map should be out in a few months, and it will likely show that 5,000+ could be in the new floodplain, an "economic disaster" according to local officials. R8 has been in regular communication with the local floodplain administrator to help advise how the community can minimize premium increases until flood protection is in place, a prospect that is years away even by the most optimistic projections.
- Senator Hoeven has been instrumental in preserving a "basement exception" for certain homes in the Fargo area and 14 other jurisdictions in North Dakota – an issue that was raised to HQ FIMA. The homes in question were specially constructed to provide high-standard basement floodproofing. The "exception" allows these homes to be rated for insurance purposes as if the basement didn't exist, resulting in significantly lower premiums. The city has expressed concern about how the new NFIP legislation might impact the basement exception, as well as how the new flood maps might impact it.
- He will also be concerned about potential flooding in North Dakota this spring. The state's snowpack is running higher than normal, reminiscent of previous flood years. The snowpack is particularly high around Devils Lake, a large closed-basin system (second only to Great Salt Lake) that has been in a 30-year wet cycle, hemmed in largely by a levee and roads that have been raised again and again, largely with FEMA funds.

John Barrasso, Member (WY): No FEMA-related issues. After a quick scan, I think we have only had one inquiry from his office in five years (an NFIP inquiry). The state has had almost no disasters because of its small population scattered over a wide area. The only recent disaster in the state is the 2015 IA and PA declaration for flooding and severe storms in two counties. The disaster gave almost $1.3 million in

Individual Assistance to more than 300 households, and $2.6 million for Public Assistance. However, following the declaration, the state's lone congressional office raised the issue of how a FEMA-designated advocate for rural and small states might be able to assist states like theirs in obtaining declarations. The position was written into law years ago by the previous Wyoming congressional representative in response to FEMA's denial of a request involving the small community of Kaycee, but FEMA had not actually designated such an advocate until the issue was raised again in 2015. Currently, FEMA advocacy for small and rural states is handled by HQ IGA. FYI: Barrasso is a former orthopedic surgeon from Casper who was sworn into office in 2007, elected in 2008, and reelected to a full term in 2012…. The state PIO has frequently noted that the state sees cyber-security as a high priority.

Steve Daines, Member (MT): Daines has several relatively mild issues that relate to FEMA.

- He and Senator Tester sponsored the Wildfire Disaster Funding Act, which would establish a Forest Service fund to fight wildfires like FEMA's disaster fund.
- Eastern Montana includes part of the Bakken oil play that has greatly affected North Dakota. Since a considerable amount of the oil moves to the West Coast by train through Montana, the issues of potentially explosive oil spills, awareness of oil shipments, and training to respond to such incidents are a concern in the state. Current low oil prices have reduced the furious rate of the boom, but oil shipments by rail are still up hugely over past rates.
- A longstanding PA project near Laurel, just west of Billings along I-90, stems from the 2011 flood along the Yellowstone River. The riverbed shifted enough that the town's water intake would often be above water and useless at times of low water (typically August). Now that engineering and permitting issues have finally been settled, construction is underway. However, the 25% state/local share is a problem. The intake will cost about $9 million, meaning a $2.2 million state/local share, and neither the locals nor the state has the money, barring a special appropriation by the state. The state legislature came within one vote of passing such an appropriation on the last day of the session two years ago. (The legislature only meets every other year.) The legislature is now in session again, and both legislators and Laurel residents asked Daines' office for help. Laura Cirillo, our regional PA expert, Cynthia Hunter and I recently had a teleconference with Daines' Montana staffer Nathan Adams and his D.C. colleague Matthew Ketron to answer their questions about how the decisions were made, whether the state had visibility throughout, whether the state could say when something was getting too expensive, etc.
    - We explained that although we could talk to the congressionals, as feds to feds, the legislature needed to talk to the Montana Department of Emergency Services.
    - We briefly explained the history of the situation, including the previous intake that had to be replaced, and that we had funded a study that looked at 40-50 different options, then settled on three for more intensive review; then the design, reviews, permitting, etc. all took more time.
    - The money has been obligated. The staffers asked what happened if the work was not completed. Our PA specialist said we could and would take the money back from the state. (So, in effect, the state needs to come up with $2.2 million to prevent in theory $9 million from being taken back.)

FYI: Daines was a former manager for Procter & Gamble, then part of his family's construction business in Bozeman, then executive in a software company that became Bozeman's largest commercial employer. He was elected to the House of Representatives in 2012, then to the Senate in 2014.

Jon Tester, Member (MT) (note it is "Jon," not "John"): Tester's office has been the most active office with FEMA, always on friendly terms.

- Like Daines, he is concerned about funding to fight wildfires.
- Remapping of floodplains and rising flood insurance rates are major sources of concern
- His office has raised concerns about uncertified levees that provide some protection to residents but are not likely to pass muster when the areas are remapped, which will leave significant numbers of residents in high-risk zones and unable to afford the premiums. This issue is most notable in Great Falls, which is threatened by the Sun River, and the eastern plains town of Roundup, threatened by the Milk River.

FYI: Tester is a rancher from the Plains area who grew up near the Rocky Boys reservation and has close friends among the tribe. He is a former music teacher and former president of the Montana state senate. He and his wife also ran a custom butcher shop, and his official bio says he "still butchers his own meat and regularly hauls it to Washington with him in a carry-on suitcase." Tester was elected in 2006 and re-elected in 2012.

Heidi Heitkamp, Member (ND): Heitkamp seems to be conflicted about the Dakota Pipeline situation. Her official bio emphasizes that she will "stand up for Native American families and make sure the U.S. government lives up to its treaty and trust responsibilities." However, she is also a former director of the one-of-a-kind Dakota Gasification synfuels plant, and her bio describes her as a longtime "champion for North Dakota's energy jobs and industry." After President Trump's recent executive orders supporting both Keystone XL and the Dakota Pipeline, Heitkamp put out a press release citing the good news for Keystone – but did not mention the Dakota Pipeline. Like Hoeven, she supports the Fargo diversion and the Minot flood protection projects, and will be concerned about potential flooding in the state this spring. She also has focused on the issue of oil transportation safety, and urged FEMA to do so as well. The volume of crude oil moving by rail quadrupled in less than a decade because of increased production. Lower oil prices have given at least a temporary respite to the frenetic growth of the past several years in the western part of the state, but crude oil traffic by rail remains very high by historic standards. The volume of oil rail transport across North Dakota has increased concern from state, local and tribal emergency managers about a lack of visibility on transport through their areas and ability to handle the potentially devastating accidents. This was heightened by a December 30, 2013, train derailment and crude oil explosion near Casselton (near Fargo, in eastern North Dakota).

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

BJA Bureau of Justice Assistance
Fact Sheet

Nancy E. Gist, Director

The Emergency Federal Law Enforcement Assistance Program

The Federal Government administers a variety of assistance programs to provide a coordinated response to State and local governments stricken by natural disasters. During such extraordinary circumstances, when State or local agencies are incapable of unilaterally coping with the aftermath of a flood, hurricane, tornado, or other natural calamity, the Federal Government has come to their aid with a multiagency response.

Although the Federal Government has programs to assist State and local governments with natural disasters, until 1984 there was no coordinated Federal response for any other type of emergency. A number of events occurring in the late 1970's and early 1980's are examples of the types of unexpected law enforcement emergencies State and local agencies may face: the Atlanta child murders; the Los Angeles Night Stalker, San Francisco Zodiac, and Seattle Green River serial murder investigations; and the Mariel Cuban boatlift. Although the Federal Government's primary law enforcement role is to enforce Federal criminal statutes, it can play an ancillary role by assisting State and local governments with unexpected law enforcement emergencies that overwhelm their capacities to respond.

Program Scope and Purpose

On October 12, 1984, the Emergency Federal Law Enforcement Assistance (EFLEA) Program was enacted into law as part of the Justice Assistance Act of 1984 (Public Law 98–473) and is now administered by the Bureau of Justice Assistance (BJA), Office of Justice Programs, U.S. Department of Justice. Its function is to assist State and/or local units of government in responding to law enforcement emergencies through the provision of Federal law enforcement assistance. The EFLEA Program authorizes the Attorney General to provide funds, equipment, training, intelligence information, and personnel to help alleviate emergency situations. It also authorizes the Director of BJA to assist the Attorney General in providing EFLEA assistance and coordinating program activities.

Congress' intent in passing the EFLEA Program was to create an assistance program to address extraordinary circumstances that have the potential to create serious threats to public safety. Congress limited the number of eligible law enforcement emergencies by restricting applicability to situations in which State and local resources have been completely exhausted or are inadequate to deal with a law enforcement emergency. The legislative history of the Justice Assistance Act of 1984 indicates that Congress expected few emergencies to be dire enough to require Federal involvement through EFLEA. The program was never intended to be a routine source of Federal financial assistance for criminal justice activities.

Section 609N(3) of the Justice Assistance Act clearly delineates the purpose of EFLEA and limits its applicability by defining a "law enforcement emergency" as:

> . . . an uncommon situation which requires law enforcement, which is or threatens to become of serious epidemic proportions, and with respect to which State and local resources are inadequate to protect the lives and property of citizens or to enforce the criminal law, except that such term **does not** [emphasis added] include the perceived need for planning or other activities related to crowd control

for general public safety projects, or a situation requiring the enforcement of laws associated with scheduled public events, including political conventions and sports events.

The EFLEA Program serves a special purpose in alleviating damage resulting from a law enforcement emergency and providing financial support for actions taken to prevent further losses.

Eligibility for Program Assistance

If a law enforcement emergency exists throughout a State or in part of a State, the State may submit an application for itself or for units of local government to the U.S. Attorney General for EFLEA Program assistance. The application must meet certain criteria and be submitted in writing by the Governor in accordance with established EFLEA application guidelines, as described in the following sections.

Key Determining Factors

The Attorney General evaluates EFLEA Program applications based on the likelihood that the situation will escalate into a law enforcement emergency of epidemic proportions, posing an imminent threat to public safety. The law enforcement emergency must be of sufficient magnitude to overwhelm the State or local government's ability to respond. Based on these criteria, the Attorney General approves or disapproves funding awards within 10 days after receiving the application.

Application Requirements

The Governor should submit a written application and signed transmittal letter that include the following elements:

❑ **Problem.** A description of the nature and extent of the law enforcement emergency, including the specific identification and description of the political and jurisdictional subdivision(s) where the emergency exists.

❑ **Resources.** A description of the State and local criminal justice resources available to address the emergency and an explanation of why and to what degree they are insufficient.

❑ **Required assistance.** A specific statement of the funds, equipment, training, intelligence information, and/or personnel requested and a description of their intended use.

❑ **Other assistance.** Information about any other assistance the State or appropriate unit of government has received or could receive under the provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

❑ **Complete line-item budget.** A budget accompanied by a detailed narrative explaining all costs for which EFLEA funding is requested and showing how such costs were derived.

❑ **Signed and dated assurance statement.** A statement certifying compliance with applicable Federal statutes, regulations, policies, guidelines, and requirements.

❑ **Certification statements.** Statements concerning lobbying, debarment, suspension, drug-free workplace requirements, and other responsibility matters.

❑ **Disclosure of lobbying activities.** A description of any lobbying activities in which the applicant may be engaged, if the amount of the application exceeds $100,000.

Program Limitations

The EFLEA Program is not a grant program for normal and customary criminal justice expenditures; therefore, the following activities are not eligible for funding:

❑ **Land acquisition.** No funds are to be used to purchase or acquire land.

❑ **Supplantation.** No funds are to be used to supplant State or local funds that would otherwise be made available for such purposes.

❑ **Civil justice.** No funds or other assistance are to be used for civil justice matters, except to the extent that such matters relate directly and substantially to, or are inextricably intertwined with, criminal justice matters.

❑ **Use of Federal law enforcement personnel.** Federal law enforcement personnel may not be used to investigate violations of criminal law other than violations for which investigation is authorized by other provisions of law (Section 6090(a) of the Justice Assistance Act).

❑ **Direction, supervision, and control.** Neither the Attorney General nor the Federal law enforcement community may exercise any direction, supervision, or control over any applicant's police force or other criminal justice agency (Section 6090(b) of the Justice Assistance Act).

Examples of Recent Awards

EFLEA awards have been made for the following extraordinary law enforcement emergencies:

❑ **Suspicious deaths.** In June 1995, the State of Indiana requested funds to assist in investigating suspicious deaths in the intensive care unit of the Vermillion County Hospital in Clinton. The State was awarded $330,578 to support task force efforts in conducting a homicide investigation, exhuming dozens of bodies buried in cemeteries in several States, conducting autopsies and forensic analyses, and securing medical experts.

❑ **Rodney King/Reginald Denny cases.** In April 1993, the State of California requested funds for law enforcement overtime to amass a sufficiently large presence of State and local law enforcement officers to prevent civil disturbances. The State had incurred extraordinary overtime expenses during jury deliberations in the civil rights trial of police officers prosecuted for assaulting Rodney King and in the aftermath of the verdict convicting the assailants of truck driver Reginald Denny. The State was awarded $1 million.

❑ **Waco standoff.** In March 1993, the State of Texas requested funds for overtime accrued by law enforcement officers of the Texas Department of Public Safety and the McClennan County Sheriff's Office who were directly engaged in the Waco standoff between the Branch Davidian religious sect and law enforcement. The State was awarded a grant of $625,312.

❑ **Gainesville Homicide Task Force.** In September 1990, the State of Florida requested emergency funding for its Gainesville Homicide Task Force. The task force was investigating five murders committed within 1 week by a serial killer. Florida received an initial and a supplemental award totaling $1.14 million for overtime, fringe benefit costs, travel, and for associated expenses such as aircraft operations, equipment rental, and office supplies.

❑ **San Francisco earthquake.** In December 1989, the State of California submitted an application requesting assistance for law enforcement's response to the San Francisco earthquake. An award of $4.96 million was approved for law enforcement overtime, replacement or repair of damaged equipment, and emergency repairs to critical law enforcement facilities.

❑ **Hurricane Hugo.** In October and December of 1989, the State of South Carolina submitted applications requesting assistance for law enforcement's response to Hurricane Hugo. Two awards totaling $2.7 million were approved for law enforcement overtime, replacement or repair of damaged equipment, and emergency repairs to critical law enforcement facilities.

For Further Information

Detailed information about the EFLEA Program may be found at Title 28, Code of Federal Regulations, Chapter 1, Part 65. The program is codified at Title 42, United States Code, Section 10501. An application kit with additional information is available from:

Emergency Federal Law Enforcement Assistance (EFLEA) Program

Bureau of Justice Assistance
633 Indiana Avenue NW.
Washington, DC 20531
202–616–2356

FS000034
September 1996

EFLEA Fact Sheet

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Washington, DC 20531

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THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release January 24, 2017

EXECUTIVE ORDER

- - - - - - -

EXPEDITING ENVIRONMENTAL REVIEWS AND APPROVALS FOR HIGH PRIORITY INFRASTRUCTURE PROJECTS

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct as follows:

Section 1. Purpose. Infrastructure investment strengthens our economic platform, makes America more competitive, creates millions of jobs, increases wages for American workers, and reduces the costs of goods and services for American families and consumers. Too often, infrastructure projects in the United States have been routinely and excessively delayed by agency processes and procedures. These delays have increased project costs and blocked the American people from the full benefits of increased infrastructure investments, which are important to allowing Americans to compete and win on the world economic stage. Federal infrastructure decisions should be accomplished with maximum efficiency and effectiveness, while also respecting property rights and protecting public safety and the environment. To that end, it is the policy of the executive branch to streamline and expedite, in a manner consistent with law, environmental reviews and approvals for all infrastructure projects, especially projects that are a high priority for the Nation, such as improving the U.S. electric grid and telecommunications systems and repairing and upgrading critical port facilities, airports, pipelines, bridges, and highways.

Sec. 2. Identification of High Priority Infrastructure Projects. With respect to infrastructure projects for which Federal reviews and approvals are required, upon request by the Governor of a State, or the head of any executive department or agency (agency), or on his or her own initiative, the Chairman of the White House Council on Environmental Quality (CEQ) shall, within 30 days after a request is made, decide whether an infrastructure project qualifies as a "high priority" infrastructure project. This determination shall be made after consideration of the project's importance to the general welfare, value to the Nation, environmental benefits, and such other factors as the Chairman deems relevant.

Sec. 3. Deadlines. With respect to any project designated as a high priority under section 2 of this order, the Chairman of the CEQ shall coordinate with the head of the relevant agency to establish, in a manner consistent with law, expedited procedures and deadlines for completion of environmental reviews and approvals for such

projects. All agencies shall give highest priority to completing such reviews and approvals by the established deadlines using all necessary and appropriate means. With respect to deadlines established consistent with this section that are not met, the head of the relevant agency shall provide a written explanation to the Chairman explaining the causes for the delay and providing concrete actions taken by the agency to complete such reviews and approvals as expeditiously as possible.

Sec. 4. General Provisions. (a) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(b) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(c) All actions taken pursuant to this order shall be consistent with requirements and authorities to protect intelligence and law enforcement sources and methods. Nothing in this order shall be interpreted to supersede measures established under authority of law to protect the security and integrity of specific activities and associations that are in direct support of intelligence and law enforcement operations.

(d) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,
January 24, 2017.

# # #

From: Dragani, Nancy
Sent: 10 Feb 2017 18:03:15 -0500
To: Greff, Stacie;Dombrowski, Justin
Subject: FW: Notes from DAPL call today
Attachments: ND DAPL Conference Call Notes.docx

From: Depalo, Lee
Sent: Friday, February 10, 2017 12:31 PM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: FW: Notes from DAPL call today

Nancy, notes from the call that ESF-13 mentioned in today's SA meeting are attached.

Lee

Lee dePalo

Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990

FEMA

Referred to Another Agency/Component

Page 0816

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

Page 0817

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

From: Dombrowski, Justin
Sent: 10 Feb 2017 19:12:44 -0500
To: Greff, Stacie
Subject: FW: Notes from DAPL call today
Attachments: ND DAPL Conference Call Notes.docx

Had a follow up w/Nancy and Jen, we can discuss on Monday...J

Sent from my mobile device.

From: Dragani, Nancy
Sent: Friday, February 10, 2017 3:03:15 PM
To: Greff, Stacie; Dombrowski, Justin
Subject: FW: Notes from DAPL call today

From: Depalo, Lee
Sent: Friday, February 10, 2017 12:31 PM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
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Page 0825

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

Page 0826

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

From: Floyd, Megan
Sent: 31 Jan 2017 11:14:02 -0500
To: Greff, Stacie;Dombrowski, Justin
Cc: Welch, Randy
Subject: ACTION: Review for Senate Indian Affairs Committee Input

Added a bit more this morning on EMPG and the story from the clips about Hoeven working with DHS.

From: Floyd, Megan
Sent: Monday, January 30, 2017 4:08 PM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Cc: Welch, Randy <Randy.Welch@fema.dhs.gov>
Subject: For your Review: Senate Indian Affairs Committee

Stacie and Justin –

I am helping Randy get the Regional hot button issues together for the Senate Indian Affairs Committee hearing. Based on the members, the only two issues I would foresee are the Dakota Access Pipeline and Rocky Boy's Audit. Could you please take a look at the information below and let me know if you are comfortable with it? Once you look at it I will make sure Jen takes a look before I give it back to Randy to go up to HQ (by COB tomorrow).

Thanks

Megan

1) Standing Rock: Dakota Access Pipeline Protests - There have been no requests for FEMA assistance from the Tribe or the State

- Background: On April 1, 2016 people began to gather and protest the Dakota Access Pipeline just north of the Standing Rock Reservation border. Since that time protest crowds have been estimated to have grown to 10,000 plus (NYTimes) during their peak. Since December 2016, when the Army Corps of Engineers did not approve the easement necessary to permit the pipeline to cross under Lake Oahe, the numbers at the protest camps have fallen to around 500 (+or-). Due to the significant crowd size, North Dakota had to provide additional law enforcement resulting in significant costs to the State office of Homeland Security. In October, the State of North Dakota started to talk about EMAC to support the law enforcement efforts. Ultimately other states did provide support to the State of ND. In late September Senator Hoeven spoke with former administer Fugate regarding the need to provide financial assistance to the State to support law enforcement. The State has not made any official requests of FEMA for assistance. The Standing Rock Sioux Tribe has not reached out to FEMA for assistance either. At this time, both the Standing Rock Sioux Tribe and the State of North Dakota have called on protestors to leave the protest site and return home based on concerns

for spring flooding and the impacts of the protest camp on the local community. FEMA is not engaged on the issue beyond passive monitoring. See most recent news from Senator Hoeven below.

2) Rocky Boy's: OIG Audit

- In 2010 The Chippewa Cree of the Rocky Boy's reservation was a direct grantee for DR-1922. Following that event there have been numerous issues with tribal officials misusing, not only FEMA funds, but other federal funds. The Montana US Attorney's office and the Department of the Interior OIG have prosecuted several individuals. THE DHS OIG has also been involved and is looking specifically at the misuse of FEMA Public Assistance grants. FEMA funds that have resulted in criminal charges and convictions. The OIG has been involved with audits of DR-1922 for several years. Currently they are auditing Project Worksheets related to a health clinic that was destroyed during the disaster.

3) EMPG: Funds not available directly to tribal governments

- Several Tribes in Region VIII has been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their emergency management programs and in some cases some funds trickle down to tribes, however, it is never enough. The tribes in Region VIII have expressed concerns about the requirements of a Presidential Emergency or Major Disaster declaration because they do not have access to direct funds to support the development of their emergency management programs.

Additional BIA officers to be dispatched to ND to assist with DAPL protests

KFYR-TV, Bismarck
Posted: Fri 5:00 PM, Jan 27, 2017 |
Updated: Fri 5:02 PM, Jan 27, 2017

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This will bring the total number of BIA officers at the site to 40.

"We're working to get more federal law enforcement assistance to work with state and local law enforcement officers. The BIA has committed to provide an additional 20 officers, who should be there this weekend. In addition, we're working with both the Department of Homeland Security and the Department of Justice to provide additional resources as well," Hoeven said.

From: Krikava, Richard
Sent: Thursday, January 26, 2017 3:17:58 PM
To: Norris, Rachael; Deshong, Casey; Hunter, Cynthia; Cappannari, Michael L; Shulman, Dan; Golding, Noah; Rigby, Corey; Murphy, Kendall; Alvarado, Diego

Cc: Trytten, Dana; Booth, Milo
Subject: Senate Indian Affairs Committee

Team:

As you may have heard, we've got a hearing coming up in the Senate Indian Affairs Committee on Feb. 8. In an effort to prepare our witness for questions that may be lobbed at him, could you please take a look at the list of Senators below, and let me know if there are any boogeyman issues related to FEMA out there that might flare up in the hearing (related to Indian Country or otherwise)?

I'm just looking for a few lines on the issues that might be out there, and if we need to dig in deeper, we can go from there.

Something by COB Tuesday, Jan. 31?

Thanks, and call me if you have any questions. (Also, I'm sure our Tribal Branch here at HQ are pinging your Regional Tribal Liaisons, too.)

REPUBLICANS

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Lisa Murkowski, Member (AK)
James Lankford, Member (OK)
Steve Daines, Member (MT)
Michael Crapo, Member (ID)
Jerry Moran, Member (KS)

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Maria Cantwell, Member (WA)
Al Franken, Member (MN)
Brian Schatz, Member (HI)
Heidi Heitkamp, Member (ND)
Catherine Cortez Masto, Member (NV)

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov


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SAFETY TIPS
SHELTERS
PHOTOS
Download on the App Store
GET IT ON Google Play

From: Floyd, Megan
Sent: 31 Jan 2017 16:43:47 -0500
To: Dick, Jennifer;Greff, Stacie
Subject: ACTION: Review for Senate Indian Affairs Committee Input

Stacie and Jen –

Below is the background information that we pulled together for the Senate Indian Affairs Committee Hearing scheduled for next week. Please let me know if you have any changes. It is due back to HQ by COB today. I apologize for the quick turnaround time.

1) Standing Rock: Dakota Access Pipeline Protests - There have been no requests for FEMA assistance from the Tribe or the State

- Background: On April 1, 2016 people began to gather and protest the Dakota Access Pipeline just north of the Standing Rock Reservation border. Protest crowds were estimated at 10,000 plus (NYTimes) during their peak. Since December 2016, when the Army Corps of Engineers did not approve the easement necessary to permit the pipeline to cross under Lake Oahe, the numbers at the protest camps have fallen to around 500 (+/-). Due to the significant crowd size, North Dakota provided additional law enforcement resulting in substantial costs to the State office of Homeland Security. In October, the State of North Dakota started to talk about EMAC to support the law enforcement efforts. Ultimately other states did provide support to the State of ND. In late September, Senator Hoeven spoke with former administer Fugate regarding the need to provide financial assistance to the State to support law enforcement. The State has not made any official requests of FEMA for assistance. The Standing Rock Sioux Tribe has not reached out to FEMA for assistance either. At this time, both the Standing Rock Sioux Tribe and the State of North Dakota have called on protestors to leave the protest site and return home based on concerns for spring flooding and the impacts of the protest camp on the local community. FEMA is not engaged on the issue beyond passive monitoring. See most recent news from Senator Hoeven below.

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- In 2010 The Chippewa Cree of the Rocky Boy's reservation was a direct grantee for DR-1922. Following the event there have been numerous issues with tribal officials misusing FEMA and other federal funds. The Montana US Attorney's office and the Department of the Interior OIG have prosecuted several individuals. THE DHS OIG has also been involved and is looking specifically at the misuse of FEMA Public Assistance grants. The OIG has been involved with audits of DR-1922 for several years. Currently they are auditing Project Worksheets related to a health clinic that was destroyed during the disaster.

3) EMPG: Funds not available directly to tribal governments

- Tribes across Region VIII has been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their emergency management programs and in some cases some funds trickle down to tribes, however, the tribes do not have direct access to these funds. The tribes in Region VIII have expressed concerns about the requirements for receiving a direct Presidential Emergency or

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Sent: Thursday, January 26, 2017 3:17:58 PM
To: Norris, Rachael; Deshong, Casey; Hunter, Cynthia; Cappannari, Michael L; Shulman, Dan; Golding, Noah; Rigby, Corey; Murphy, Kendall; Alvarado, Diego
Cc: Trytten, Dana; Booth, Milo
Subject: Senate Indian Affairs Committee

Team:

As you may have heard, we've got a hearing coming up in the Senate Indian Affairs Committee on Feb. 8. In an effort to prepare our witness for questions that may be lobbed at him, could you please take a look at the list of Senators below, and let me know if there are any boogeyman issues related to FEMA out there that might flare up in the hearing (related to Indian Country or otherwise)?

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Brian Schatz, Member (HI)
Heidi Heitkamp, Member (ND)
Catherine Cortez Masto, Member (NV)

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov



From: Greff, Stacie
Sent: 31 Jan 2017 23:29:44 +0000
To: Floyd, Megan
Cc: Dombrowski, Justin;Dick, Jennifer
Subject: ACTION: Review for Senate Indian Affairs Committee Input

Megan -- Jen's edits are in red, and I added some additional ones in purple, plus I did some formatting. Information is just below. Thanks. Stacie

(b)(5)

In 2010, the Chippewa Cree of the Rocky Boy's Reservation was a direct Grantee for DR-1922. Following the event, numerous issues have arisen with the misuse of FEMA funding, as well as other federal grant funds. The Montana U.S. Attorney's office has prosecuted several tribal members, officials and contractors. THE DHS OIG also has been involved with audits of FEMA's Public Assistance grants to the Tribe for several years. In mid-January, the Region received notice that the OIG will conduct another audit related to funds provided to the Tribe for the health clinic that was destroyed during the disaster.

3) Emergency Management Performance Grant Program (EMPG): Funds are not available directly to tribal governments

Tribes across Region VIII has been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their

(b)(5)

From: Dick, Jennifer
Sent: Tuesday, January 31, 2017 4:16 PM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: ACTION: Review for Senate Indian Affairs Committee Input

I thought it looked pretty good—just some minor suggestions.

(b)(5)

(b)(5)

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this message in error, please reply immediately to the sender and delete this message. Thank you.

From: Floyd, Megan
Sent: Tuesday, January 31, 2017 2:44 PM
To: Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: ACTION: Review for Senate Indian Affairs Committee Input

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Cc: Trytten, Dana; Booth, Milo
Subject: Senate Indian Affairs Committee

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Heidi Heitkamp, Member (ND)
Catherine Cortez Masto, Member (NV)

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov



From: Greff, Stacie
Sent: 21 Mar 2017 21:30:24 +0000
To: Dragani, Nancy
Cc: Deal, Timothy;Carroll, Thomas;Dombrowski, Justin
Subject: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5
Importance: High

Nancy – I connected with HQ Leg Affairs on this. This originated when Sharon Loper joined Alex Amparo for some hill visits relating to tribal, and he felt it went well. The idea was thrown out primarily by Recovery for potential future opportunities. There is not an expectation or requirement from Legislative Affairs. However, if it is something that you are interested in doing (meeting with staffers from key hill offices), then they will staff you and we will ensure that relevant background information (tribal & more) is prepped ahead of time for you.

My suggestion is that you chat with Alex if he is there with you and easily assessable to discuss how he feels at this point. Leg Affairs made the point of letting me know they had just cleared all the asks from the Senate hearing about a month ago on tribal where Alex testified.

Leg Affairs staff can make the visits happen in April when you are there, or we can explore other opportunities in the future. It really is your call on timing. I think the staff visits are good, but it depends on what else is scheduled for you that week as it will take some time.

Thanks. Stacie

Stacie Greff
External Affairs Director
FEMA Region VIII
303.235.4774 (desk)
303.941.8668 (cell)
Stacie.Greff@fema.dhs.gov

From: Dragani, Nancy
Sent: Thursday, March 02, 2017 1:11 PM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: FW: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

For your visibility and coordination. It looks like this is focused on Tribal but I would expect other issues (levees, DAPL, flood insurance) may come up as well.

I am in DC that week so assume that is why they selected those dates.

Nancy

Sent from my iFEMA mobile device.

From: Edge, Elizabeth
Sent: Thursday, March 02, 2017 10:55:41 AM
To: Dragani, Nancy
Subject: FW: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

FYI – I'm sure someone will be contacting you soon… In the message below, Jessica Specht is referring to Alex Amparo.

Elizabeth R. Edge
Director, Office of Regional Operations
DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Thursday, March 02, 2017 10:49 AM
To: Brewster, Jared
Cc: Windle, William; Booth, Milo; Valteau, Margeau; Edge, Elizabeth; Eswood, Louis; Blanchard-Mbangah, Shauna M; Jenkins, Christy; Salem, Lindy
Subject: RE: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

Hi Jared,

I got to talk with Alex more about these potential engagements today. He would like to set-up hill visits with the remaining RAs, if possible. Ideally, tribal is a part of the discussion, but he'd like to participate in the conversations regardless. Based on their schedules and my initial research, I'd recommend the following visits for R8 RA Nancy Dragani for 4/5. However, I welcome your feedback on whether you all think these are the right folks. If so, per my conversation with Michelle about process, can you please begin working with CAD Regional staff on this?

Region VIII
John Hoeven, ND - SHSGAC, Chairman of Senate Indian Affairs Committee, Appropriations HS Subcomm.
Jon Tester, MT - SHSGAC, Senate Indian Affairs Committee, Ranking Member of Appropriations HS Subcomm.
Heidi Heitkamp, ND – SHSGAC, Senate Indian Affairs Committee
Steve Daines, MT- SHSGAC, Senate Indian Affairs Committee

Looping in Lindy and Christy for help with scheduling and others for awareness.

Thank you,

Jessica

Jessica Specht (Steinbeck)

Tribal Policy Lead, Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Block, Michelle
Sent: Tuesday, February 28, 2017 1:35 PM
To: Edge, Elizabeth <Elizabeth.Edge@fema.dhs.gov>; Specht, Jessica <jessica.specht@fema.dhs.gov>
Cc: Windle, William <William.Windle@fema.dhs.gov>; Brewster, Jared <Jared.Brewster@fema.dhs.gov>; Booth, Milo <milo.booth@fema.dhs.gov>; Valteau, Margeau <margeau.valteau@fema.dhs.gov>
Subject: RE: RA CAD/Tribal Engagement

Hi all,
FYSA during our congressional staff call today with the regions, our deputy director mentioned the success of recent RA meetings on the Hill and asked for regions to consider other ones that may be beneficial when their RAs come to DC.

Best,
Michelle

From: Edge, Elizabeth
Sent: Friday, February 24, 2017 2:21 PM
To: Specht, Jessica <jessica.specht@fema.dhs.gov>
Cc: Windle, William <William.Windle@fema.dhs.gov>; Block, Michelle <michelle.block@fema.dhs.gov>; Brewster, Jared <Jared.Brewster@fema.dhs.gov>; Booth, Milo <milo.booth@fema.dhs.gov>; Valteau, Margeau <margeau.valteau@fema.dhs.gov>
Subject: RE: RA CAD/Tribal Engagement

Thanks very much Jessica. Standing by to hear back from Michelle.

Enjoy the weekend.

Elizabeth R. Edge
Director, Office of Regional Operations
DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Friday, February 24, 2017 1:49 PM
To: Edge, Elizabeth

Cc: Windle, William; Block, Michelle; Brewster, Jared; Booth, Milo; Valteau, Margeau
Subject: RA CAD/Tribal Engagement

Hi Elizabeth,

Nice talking with you too. I raised the potential opportunity for the remaining RAs to have congressional and/or tribal meetings when they are in town. Michelle Block of CAD said she would bring this up to their new Deputy, Damon on their Monday call and get back to us all.

As we discussed, depending on whether we decide these meetings should be just CAD or tribal related or both, I am happy to email the RAs after Monday and CC: Sharon and share the positive experience we had with her yesterday and offer for Alex to meet with them when they are in town, if we decide that is the right approach.

Thank you,

Jessica

Jessica Specht (Steinbeck)
Tribal Policy Lead, Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Edge, Elizabeth
Sent: Friday, February 24, 2017 12:46 PM
To: Specht, Jessica <jessica.specht@fema.dhs.gov>
Cc: Windle, William <William.Windle@fema.dhs.gov>
Subject: RE: Proposed response to Franken

Good to chat with you just now.

As I said, theyre all doing their own schedules. Jans only here for a day but maybe another trip? Either way I think it's a great idea for them to do congressional tribal and just regular visits.

Let me know how your meeting with CAD goes and we'll get this working.

Thanks.

Elizabeth R. Edge
Director, Office of Regional Operations

DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Friday, February 24, 2017 12:37 PM
To: Edge, Elizabeth
Cc: Windle, William
Subject: RE: Proposed response to Franken

I understand from Region V staff that Jan is doing her own scheduling? It appears similar opportunities may arise for Mike, Paul, and Nancy do you have a primary POC who is managing these schedules or visibility on that?

Jessica Specht (Steinbeck)
Tribal Policy Lead**,** Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

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Sent: Friday, February 24, 2017 11:00 AM
To: Specht, Jessica <jessica.specht@fema.dhs.gov>
Cc: Windle, William <William.Windle@fema.dhs.gov>
Subject: RE: Proposed response to Franken

Thanks.

Elizabeth R. Edge
Director, Office of Regional Operations
DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Friday, February 24, 2017 10:47 AM
To: Edge, Elizabeth
Cc: Windle, William
Subject: FW: Proposed response to Franken

FYSA

From: Specht, Jessica
Sent: Friday, February 24, 2017 10:38 AM

To: Peterson, Mark J <Mark.Peterson2@fema.dhs.gov>
Cc: Booth, Milo <milo.booth@fema.dhs.gov>; Sulinckas, William C <William.Sulinckas@fema.dhs.gov>; Block, Michelle <michelle.block@fema.dhs.gov>
Subject: RE: Proposed response to Franken

Hi Mark,

Good to hear from you! I hope you're well. Thanks for clarifying that.

Heads up, yesterday we had Region X Acting RA Sharon Loper come with Alex, Milo, myself and others to the hill to follow-up with Senators Murkowski and Cantwell's staff on their requests from the Senate Indian Affairs Committee Hearing. We understand that your Acting RA, Janet Odeshoo, is the next to rotate to FEMA HQ, so it would be good to set up a similar meeting with Alex, Milo and Franken's staff. Can you point me to the right person for scheduling please?

Copying Bill Sulinckas for viz.

Thank you,

Jessica

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Tribal Policy Lead, Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Floyd, Megan
Sent: 1 Feb 2017 10:26:26 -0500
To: Krikava, Richard
Cc: Trytten, Dana;Booth, Milo;Nelson, Jason;Cirillo, Laura;Greff, Stacie;Dombrowski, Justin;Welch, Randy;Hunter, Cynthia;Stephenson, James R;Garcia, Carol
Subject: RE: Indian Affairs Committee

Richard,

Below is our background information on tribal issues and possible FEMA issues for the five Senators from our region who are on the Indian Affairs committee. I am sending because Randy is out this morning. Let us know if you need anything else.

Megan Floyd
FEMA Region VIII
(303) 235-4638 Desk
(303) 945-6367 Cell
megan.floyd@fema.dhs.gov

Tribal Issues:

1) Standing Rock: Dakota Access Pipeline Protests - There have been no official requests for FEMA assistance from the tribe or the state

   Background: On April 1, 2016, people began to gather and protest the construction of the Dakota Access Pipeline just north of the Standing Rock Reservation border. Protest crowds were estimated at over 10,000 (*NY Times*) during their peak. Since December 2016, when the Army Corps of Engineers did not approve the easement necessary to permit the pipeline to cross under Lake Oahe, the numbers at the protest camps have fallen to around 500 (+/-). Due to the significant crowd size, North Dakota provided additional law enforcement resulting in substantial costs to the state Office of Homeland Security. In October, the State of North Dakota started to talk about using the Emergency Management Assistance Compact (EMAC) to support the law enforcement efforts. Ultimately other states did provide support to the state. In late September, Senator Hoeven spoke with former Administer Fugate regarding the need to provide financial assistance to the state to support law enforcement. North Dakota has not made any official requests of FEMA for assistance. The Standing Rock Sioux Tribe has not reached out to FEMA for assistance either. At this time, both the Standing Rock Sioux Tribe and the State of North Dakota have called on protestors to leave the protest site and return home based on concerns for spring flooding and the impacts of the protest camp on the local community. FEMA is not engaged on the issue beyond passive monitoring. See most recent news article quoting Senator Hoeven below. Note the situation remains in flux.

2) Rocky Boy's: Office of the Inspector General (OIG) Audit

   In 2010, the Chippewa Cree of the Rocky Boy's Reservation was a direct grantee for DR-1922. Following the event, numerous issues have arisen with the misuse of FEMA funding, as well as other federal grant funds. The Montana U.S. Attorney's office has prosecuted several tribal members, officials and contractors. THE DHS OIG also has been involved with audits of FEMA's

Public Assistance grants to the tribe for several years. In mid-January, the region received notice that the OIG will conduct another audit related to funds provided to the tribe for the health clinic that was destroyed during the disaster.

3) Emergency Management Performance Grant Program (EMPG): Funds are not available directly to tribal governments

Tribes across Region VIII have been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their emergency management programs and in some cases some funds trickle down to tribes; however, the tribes do not have direct access to these funds. The tribes in Region VIII have expressed concerns about the requirements for receiving a direct Presidential Emergency or Major Disaster declaration because they do not have access to grant program funds to support the development of their emergency management programs and internal capacity.

Additional BIA officers to be dispatched to ND to assist with DAPL protests

KFYR-TV, Bismarck
Posted: Fri 5:00 PM, Jan 27, 2017 |
Updated: Fri 5:02 PM, Jan 27, 2017

WASHINGTON, D.C. - Senator John Hoeven announced Friday the Bureau of Indian Affairs has dispatched 20 additional officers to North Dakota to help state and local law enforcement at the Dakota Access Pipeline protest sites.

This will bring the total number of BIA officers at the site to 40.

"We're working to get more federal law enforcement assistance to work with state and local law enforcement officers. The BIA has committed to provide an additional 20 officers, who should be there this weekend. In addition, we're working with both the Department of Homeland Security and the Department of Justice to provide additional resources as well," Hoeven said.

Member backgrounds:

John Hoeven, Member - Chairman (ND): Senator Hoeven knows FEMA well from disasters during his ten years as governor (2000-2010) plus now being in his seventh year as Senator, including heading oversight of DHS funding on Homeland Security. He has several FEMA-related concerns.

- His prime issue at present is likely to be the Dakota Access Pipeline project. He was a sponsor of legislation supporting the Keystone XL pipeline before the current situation with the Dakota Access Pipeline, and he recently got the BIA to commit law enforcement officers to help the state's law enforcement at the protest site (which is on land leased to the U.S. Army Corps of Engineers).
- A huge overarching concern for him is furthering the Fargo diversion project and the Minot flood protection system. Fargo is the state's largest city, and Minot is Senator Hoeven's hometown (which flooded badly in 2011). The Fargo-Moorhead Diversion is a proposed project to have the US Army Corps of Engineers built storage capacity and a diversion channel around Fargo for flood protection. It is a long-standing issue with a great deal of political interest. A number of parties have voiced opposition to the project, including areas south of Fargo and the State of Minnesota. An issue related to both flood control measures is how these projects can

work in coordination with flood insurance requirements and premium increases in both communities. Sen. Hoeven has been vocal in his assurances that FEMA will make every effort to support this effort. The draft of a new Minot flood map should be out in a few months, and it will likely show that 5,000+ could be in the new floodplain, an "economic disaster" according to local officials. R8 has been in regular communication with the local floodplain administrator to help advise how the community can minimize premium increases until flood protection is in place, a prospect that is years away even by the most optimistic projections.

- Senator Hoeven has been instrumental in preserving a "basement exception" for certain homes in the Fargo area and 14 other jurisdictions in North Dakota – an issue that was raised to HQ FIMA. The homes in question were specially constructed to provide high-standard basement floodproofing. The "exception" allows these homes to be rated for insurance purposes as if the basement didn't exist, resulting in significantly lower premiums. The city has expressed concern about how the new NFIP legislation might impact the basement exception, as well as how the new flood maps might impact it.
- He will also be concerned about potential flooding in North Dakota this spring. The state's snowpack is running higher than normal, reminiscent of previous flood years. The snowpack is particularly high around Devils Lake, a large closed-basin system (second only to Great Salt Lake) that has been in a 30-year wet cycle, hemmed in largely by a levee and roads that have been raised again and again, largely with FEMA funds.

John Barrasso, Member (WY): No FEMA-related issues. After a quick scan, I think we have only had one inquiry from his office in five years (an NFIP inquiry). The state has had almost no disasters because of its small population scattered over a wide area. The only recent disaster in the state is the 2015 IA and PA declaration for flooding and severe storms in two counties. The disaster gave almost $1.3 million in Individual Assistance to more than 300 households, and $2.6 million for Public Assistance. However, following the declaration, the state's lone congressional office raised the issue of how a FEMA-designated advocate for rural and small states might be able to assist states like theirs in obtaining declarations. The position was written into law years ago by the previous Wyoming congressional representative in response to FEMA's denial of a request involving the small community of Kaycee, but FEMA had not actually designated such an advocate until the issue was raised again in 2015. Currently, FEMA advocacy for small and rural states is handled by HQ IGA. FYI: Barrasso is a former orthopedic surgeon from Casper who was sworn into office in 2007, elected in 2008, and reelected to a full term in 2012…. The state PIO has frequently noted that the state sees cyber-security as a high priority.

Steve Daines, Member (MT): Daines has several relatively mild issues that relate to FEMA.

- He and Senator Tester sponsored the Wildfire Disaster Funding Act, which would establish a Forest Service fund to fight wildfires like FEMA's disaster fund.
- Eastern Montana includes part of the Bakken oil play that has greatly affected North Dakota. Since a considerable amount of the oil moves to the West Coast by train through Montana, the issues of potentially explosive oil spills, awareness of oil shipments, and training to respond to such incidents are a concern in the state. Current low oil prices have reduced the furious rate of the boom, but oil shipments by rail are still up hugely over past rates.
- A longstanding PA project near Laurel, just west of Billings along I-90, stems from the 2011 flood along the Yellowstone River. The riverbed shifted enough that the town's water intake would often be above water and useless at times of low water (typically August). Now that engineering and permitting issues have finally been settled, construction is underway. However, the 25% state/local share is a problem. The intake will cost about $9 million, meaning a $2.2 million

state/local share, and neither the locals nor the state has the money, barring a special appropriation by the state. The state legislature came within one vote of passing such an appropriation on the last day of the session two years ago. (The legislature only meets every other year.) The legislature is now in session again, and both legislators and Laurel residents asked Daines' office for help. Laura Cirillo, our regional PA expert, Cynthia Hunter and I recently had a teleconference with Daines' Montana staffer Nathan Adams and his D.C. colleague Matthew Ketron to answer their questions about how the decisions were made, whether the state had visibility throughout, whether the state could say when something was getting too expensive, etc.

- We explained that although we could talk to the congressionals, as feds to feds, the legislature needed to talk to the Montana Department of Emergency Services.
- We briefly explained the history of the situation, including the previous intake that had to be replaced, and that we had funded a study that looked at 40-50 different options, then settled on three for more intensive review; then the design, reviews, permitting, etc. all took more time.
- The money has been obligated. The staffers asked what happened if the work was not completed. Our PA specialist said we could and would take the money back from the state. (So, in effect, the state needs to come up with $2.2 million to prevent in theory $9 million from being taken back.)

FYI: Daines was a former manager for Procter & Gamble, then part of his family's construction business in Bozeman, then executive in a software company that became Bozeman's largest commercial employer. He was elected to the House of Representatives in 2012, then to the Senate in 2014.

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- Like Daines, he is concerned about funding to fight wildfires.
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- His office has raised concerns about uncertified levees that provide some protection to residents but are not likely to pass muster when the areas are remapped, which will leave significant numbers of residents in high-risk zones and unable to afford the premiums. This issue is most notable in Great Falls, which is threatened by the Sun River, and the eastern plains town of Roundup, threatened by the Milk River.

FYI: Tester is a rancher from the Plains area who grew up near the Rocky Boys reservation and has close friends among the tribe. He is a former music teacher and former president of the Montana state senate. He and his wife also ran a custom butcher shop, and his official bio says he "still butchers his own meat and regularly hauls it to Washington with him in a carry-on suitcase." Tester was elected in 2006 and re-elected in 2012.

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From: Krikava, Richard
Sent: 1 Feb 2017 10:28:14 -0500
To: Floyd, Megan
Cc: Trytten, Dana;Booth, Milo;Nelson, Jason;Cirillo, Laura;Greff, Stacie;Dombrowski, Justin;Welch, Randy;Hunter, Cynthia;Stephenson, James R;Garcia, Carol
Subject: RE: Indian Affairs Committee

Thank you, Megan. Will let you know if we have any questions.

Best,

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov



From: Floyd, Megan
Sent: Wednesday, February 01, 2017 10:26 AM
To: Krikava, Richard <Richard.Krikava@fema.dhs.gov>
Cc: Trytten, Dana <Dana.Trytten@fema.dhs.gov>; Booth, Milo <milo.booth@fema.dhs.gov>; Nelson, Jason <Jason.Nelson2@fema.dhs.gov>; Cirillo, Laura <laura.cirillo@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>; Welch, Randy <Randy.Welch@fema.dhs.gov>; Hunter, Cynthia <Cynthia.Hunter@fema.dhs.gov>; Stephenson, James R <James.Stephenson@fema.dhs.gov>; Garcia, Carol <carol.garcia@fema.dhs.gov>
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From: Hunter, Cynthia
Sent: 22 Mar 2017 17:16:41 +0000
To: Greff, Stacie
Cc: Floyd, Megan
Subject: RE: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

Copy. Thanks.

From: Greff, Stacie
Sent: Wednesday, March 22, 2017 11:14 AM
To: Hunter, Cynthia <Cynthia.Hunter@fema.dhs.gov>; Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: FW: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

For visibility. No action at this point.

Sent from my iFEMA mobile device.

From: Greff, Stacie
Sent: Tuesday, March 21, 2017 9:30:24 PM
To: Dragani, Nancy
Cc: Deal, Timothy; (b)(6) Dombrowski, Justin
Subject: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

Nancy – I connected with HQ Leg Affairs on this. This originated when Sharon Loper joined Alex Amparo for some hill visits relating to tribal, and he felt it went well. The idea was thrown out primarily by Recovery for potential future opportunities. There is not an expectation or requirement from Legislative Affairs. However, if it is something that you are interested in doing (meeting with staffers from key hill offices), then they will staff you and we will ensure that relevant background information (tribal & more) is prepped ahead of time for you.

My suggestion is that you chat with Alex if he is there with you and easily assessable to discuss how he feels at this point. Leg Affairs made the point of letting me know they had just cleared all the asks from the Senate hearing about a month ago on tribal where Alex testified.

Leg Affairs staff can make the visits happen in April when you are there, or we can explore other opportunities in the future. It really is your call on timing. I think the staff visits are good, but it depends on what else is scheduled for you that week as it will take some time.

Thanks. Stacie

Stacie Greff
External Affairs Director
FEMA Region VIII
303.235.4774 (desk)

303.941.8668 (cell)
Stacie.Greff@fema.dhs.gov

From: Dragani, Nancy
Sent: Thursday, March 02, 2017 1:11 PM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: FW: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

For your visibility and coordination. It looks like this is focused on Tribal but I would expect other issues (levees, DAPL, flood insurance) may come up as well.

I am in DC that week so assume that is why they selected those dates.

Nancy

Sent from my iFEMA mobile device.

From: Edge, Elizabeth
Sent: Thursday, March 02, 2017 10:55:41 AM
To: Dragani, Nancy
Subject: FW: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

FYI – I'm sure someone will be contacting you soon… In the message below, Jessica Specht is referring to Alex Amparo.

Elizabeth R. Edge
Director, Office of Regional Operations
DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Thursday, March 02, 2017 10:49 AM
To: Brewster, Jared
Cc: Windle, William; Booth, Milo; Valteau, Margeau; Edge, Elizabeth; Eswood, Louis; Blanchard-Mbangah, Shauna M; Jenkins, Christy; Salem, Lindy
Subject: RE: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

Hi Jared,

I got to talk with Alex more about these potential engagements today. He would like to set-up hill visits with the remaining RAs, if possible. Ideally, tribal is a part of the discussion, but he'd like to participate in the conversations regardless. Based on their schedules and my initial research, I'd recommend the

following visits for R8 RA Nancy Dragani for 4/5. However, I welcome your feedback on whether you all think these are the right folks. If so, per my conversation with Michelle about process, can you please begin working with CAD Regional staff on this?

Region VIII
John Hoeven, ND - SHSGAC, Chairman of Senate Indian Affairs Committee, Appropriations HS Subcomm.
Jon Tester, MT - SHSGAC, Senate Indian Affairs Committee, Ranking Member of Appropriations HS Subcomm.
Heidi Heitkamp, ND – SHSGAC, Senate Indian Affairs Committee
Steve Daines, MT- SHSGAC, Senate Indian Affairs Committee

Looping in Lindy and Christy for help with scheduling and others for awareness.

Thank you,

Jessica

Jessica Specht (Steinbeck)
Tribal Policy Lead, Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Block, Michelle
Sent: Tuesday, February 28, 2017 1:35 PM
To: Edge, Elizabeth <Elizabeth.Edge@fema.dhs.gov>; Specht, Jessica <jessica.specht@fema.dhs.gov>
Cc: Windle, William <William.Windle@fema.dhs.gov>; Brewster, Jared <Jared.Brewster@fema.dhs.gov>; Booth, Milo <milo.booth@fema.dhs.gov>; Valteau, Margeau <margeau.valteau@fema.dhs.gov>
Subject: RE: RA CAD/Tribal Engagement

Hi all,
FYSA during our congressional staff call today with the regions, our deputy director mentioned the success of recent RA meetings on the Hill and asked for regions to consider other ones that may be beneficial when their RAs come to DC.

Best,
Michelle

From: Edge, Elizabeth
Sent: Friday, February 24, 2017 2:21 PM

To: Specht, Jessica <jessica.specht@fema.dhs.gov>
Cc: Windle, William <William.Windle@fema.dhs.gov>; Block, Michelle <michelle.block@fema.dhs.gov>; Brewster, Jared <Jared.Brewster@fema.dhs.gov>; Booth, Milo <milo.booth@fema.dhs.gov>; Valteau, Margeau <margeau.valteau@fema.dhs.gov>
Subject: RE: RA CAD/Tribal Engagement

Thanks very much Jessica. Standing by to hear back from Michelle.

Enjoy the weekend.

Elizabeth R. Edge
Director, Office of Regional Operations
DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Friday, February 24, 2017 1:49 PM
To: Edge, Elizabeth
Cc: Windle, William; Block, Michelle; Brewster, Jared; Booth, Milo; Valteau, Margeau
Subject: RA CAD/Tribal Engagement

Hi Elizabeth,

Nice talking with you too. I raised the potential opportunity for the remaining RAs to have congressional and/or tribal meetings when they are in town. Michelle Block of CAD said she would bring this up to their new Deputy, Damon on their Monday call and get back to us all.

As we discussed, depending on whether we decide these meetings should be just CAD or tribal related or both, I am happy to email the RAs after Monday and CC: Sharon and share the positive experience we had with her yesterday and offer for Alex to meet with them when they are in town, if we decide that is the right approach.

Thank you,

Jessica

Jessica Specht (Steinbeck)
Tribal Policy Lead**,** Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Edge, Elizabeth
Sent: Friday, February 24, 2017 12:46 PM
To: Specht, Jessica <jessica.specht@fema.dhs.gov>
Cc: Windle, William <William.Windle@fema.dhs.gov>
Subject: RE: Proposed response to Franken

Good to chat with you just now.

As I said, theyre all doing their own schedules. Jans only here for a day but maybe another trip? Either way I think it's a great idea for them to do congressional tribal and just regular visits.

Let me know how your meeting with CAD goes and we'll get this working.

Thanks.

Elizabeth R. Edge
Director, Office of Regional Operations
DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Friday, February 24, 2017 12:37 PM
To: Edge, Elizabeth
Cc: Windle, William
Subject: RE: Proposed response to Franken

I understand from Region V staff that Jan is doing her own scheduling? It appears similar opportunities may arise for Mike, Paul, and Nancy do you have a primary POC who is managing these schedules or visibility on that?

Jessica Specht (Steinbeck)
Tribal Policy Lead, Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Edge, Elizabeth
Sent: Friday, February 24, 2017 11:00 AM
To: Specht, Jessica <jessica.specht@fema.dhs.gov>
Cc: Windle, William <William.Windle@fema.dhs.gov>
Subject: RE: Proposed response to Franken

Thanks.

Elizabeth R. Edge
Director, Office of Regional Operations
DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Friday, February 24, 2017 10:47 AM
To: Edge, Elizabeth
Cc: Windle, William
Subject: FW: Proposed response to Franken

FYSA

From: Specht, Jessica
Sent: Friday, February 24, 2017 10:38 AM
To: Peterson, Mark J <Mark.Peterson2@fema.dhs.gov>
Cc: Booth, Milo <milo.booth@fema.dhs.gov>; Sulinckas, William C <William.Sulinckas@fema.dhs.gov>; Block, Michelle <michelle.block@fema.dhs.gov>
Subject: RE: Proposed response to Franken

Hi Mark,

Good to hear from you! I hope you're well. Thanks for clarifying that.

Heads up, yesterday we had Region X Acting RA Sharon Loper come with Alex, Milo, myself and others to the hill to follow-up with Senators Murkowski and Cantwell's staff on their requests from the Senate Indian Affairs Committee Hearing. We understand that your Acting RA, Janet Odeshoo, is the next to rotate to FEMA HQ, so it would be good to set up a similar meeting with Alex, Milo and Franken's staff. Can you point me to the right person for scheduling please?

Copying Bill Sulinckas for viz.

Thank you,

Jessica

Jessica Specht (Steinbeck)
Tribal Policy Lead, Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Greff, Stacie
Sent: 11 Feb 2017 23:59:55 +0000
To: Dick, Jennifer
Subject: FW: DAPL Protest (UNCLASSIFIED)

You both should have visibility, so sharing...

Sent from my iFEMA mobile device.

From: Depalo, Lee
Sent: Saturday, February 11, 2017 10:00:54 PM
To: Dragani, Nancy; Bibo, David
Cc: Dozor, Joshua; Deal, Timothy; Greff, Stacie
Subject: RE: DAPL Protest (UNCLASSIFIED)

Copy all Nancy, I will pass you some options after I touch base with them. Needs to be someone both savvy on the Stafford Act and the Interagency with sufficient experience to have a voice at the table in my opinion.

Lee

Lee dePalo

Response Division Director
FEMA Region VIII
Cell: 720-456-9616
Desk: 303-235-4990

Sent from my iFEMA mobile device.

From: Dragani, Nancy
Sent: Saturday, February 11, 2017 2:11:19 PM
To: Bibo, David
Cc: Dozor, Joshua; Deal, Timothy; Depalo, Lee; Greff, Stacie
Subject: RE: DAPL Protest (UNCLASSIFIED)

David

We can support with a planner and/or a liaison. For your awareness, late yesterday the state asked the R8 recovery director for the emergency dec template. He stressed that

they were not intending to ask for a dec but of course, the fact that they asked seems to indicate that the potential for the ask is being considered.

I've copied our response director on this email so he has visibility on the potential ask for a planner and/or liaison. I've also copied EA as she has the Tribal program.

Regards

Nancy

Sent from my iFEMA mobile device.

From: Bibo, David
Sent: Saturday, February 11, 2017 11:17:48 AM
To: Dragani, Nancy
Cc: Dozor, Joshua; Deal, Timothy
Subject: RE: DAPL Protest (UNCLASSIFIED)

Nancy - please see emails below from ND TAG and the NSC Senior Director for Response. There's been some stir about ND potentially asking for a Stafford emergency declaration. We have concerns with that approach for a number of reasons.

What would be your thoughts about providing a Region VIII planner to a DOI- or USACE-led interagency team? We're trying to steer folks away from Stafford-based approaches, but at the same time if we have capabilities we think can help support the state in minimizing impacts from this ongoing challenge I want Josh to be prepared to offer them at Monday's meeting.

Regards,
Dave

-----Original Message-----
From: (b)(6) EOP/NSC [mailto:(b)(6)@nsc.eop.gov]
Sent: Saturday, February 11, 2017 9:38 AM
To: (b)(6) USAF JS J5 (US <(b)(6)@mail.mil>; (b)(6) (b)(6)@mail.mil>; (b)(6)@mail.mil>; (b)(6) (b)(6)@ios.doi.gov>; (b)(6)@ios.doi.gov>; Havranek, John <(b)(6)@HQ.DHS.GOV>; Bibo, David <David.Bibo@fema.dhs.gov>; Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>
Cc: (b)(6) EOP/NSC (b)(6)@nsc.eop.gov>; (b)(6) EOP/NSC (b)(6)@nsc.eop.gov>
Subject: DAPL Protest (UNCLASSIFIED)

All,

Forwarding you observations from the North Dakota TAG from last night. I'd like to make sure we're all in

the comms loop with a common understanding of concerns. He presents a number of approaches similar to our discussions yesterday worthy of examining.

Harry, when will the 40 additional DOI LE personnel arrive? I was heartened yesterday to hear that DOI is dispatching incident management team from the fire service to help with ops planning and coordination. Do you have any details on that (e.g. how many folks and from what service)?

Thanks for the discussion yesterday - it was very helpful to level set with a common understanding of the situation. We should all have a clearer view of the facts on Monday with the due outs from yesterday's meeting and I'd like to convene a smaller group of you with these on the table so we can find a way to close the resource gap (that everyone seems to agree exists). Perhaps just two from DOI, DOD/USACE, DHS, and DOJ.

Drew, Courtenay, can you arrange a room/time for Monday afternoon?

Thanks all,

Pete

Referred to Another Agency/Component

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Withheld pursuant to exemption

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From: Greff, Stacie
Sent: 13 Feb 2017 18:46:30 +0000
To: Dombrowski, Justin;Dick, Jennifer
Subject: FW: DAPL Protest (UNCLASSIFIED)

SA - Justin.

Jen, believe Tim said he is pushing to you. Suggested he just touch base with Tom C too so he has awareness.

From: Depalo, Lee
Sent: Monday, February 13, 2017 10:23 AM
To: Bibo, David <David.Bibo@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

Nothing through our LNO channels, but they continue to monitor.

Lee

Lee dePalo

Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990

FEMA

From: Bibo, David
Sent: Monday, February 13, 2017 10:12 AM
To: Depalo, Lee <lee.depalo@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

Thank you.

Any further indications from the state about intent to request Stafford Act support? Don't want to prompt them at all but don't want to be caught off guard, either.

From: Depalo, Lee
Sent: Monday, February 13, 2017 11:38 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Bibo, David <David.Bibo@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>;

Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

Mr. Bibo, we have the following two personnel on standby to support:

Kevin Moore, Response Ops Chief
Lamont Hudson, ND State LNO

We will deploy them as headquarters directs.

Lee

Lee dePalo

Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990

FEMA

From: Dragani, Nancy
Sent: Saturday, February 11, 2017 2:11 PM
To: Bibo, David <David.Bibo@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Depalo, Lee <lee.depalo@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

David

We can support with a planner and/or a liaison. For your awareness, late yesterday the state asked the R8 recovery director for the emergency dec template. He stressed that they were not intending to ask for a dec but of course, the fact that they asked seems to indicate that the potential for the ask is being considered.

I've copied our response director on this email so he has visibility on the potential ask for a planner and/or liaison. I've also copied EA as she has the Tribal program.

Regards

Nancy

Sent from my iFEMA mobile device.

From: Bibo, David
Sent: Saturday, February 11, 2017 11:17:48 AM
To: Dragani, Nancy
Cc: Dozor, Joshua; Deal, Timothy
Subject: RE: DAPL Protest (UNCLASSIFIED)

Nancy - please see emails below from ND TAG and the NSC Senior Director for Response. There's been some stir about ND potentially asking for a Stafford emergency declaration. We have concerns with that approach for a number of reasons.

What would be your thoughts about providing a Region VIII planner to a DOI- or USACE-led interagency team? We're trying to steer folks away from Stafford-based approaches, but at the same time if we have capabilities we think can help support the state in minimizing impacts from this ongoing challenge I want Josh to be prepared to offer them at Monday's meeting.

Regards,
Dave

Referred to Another Agency/Component

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From: Dick, Jennifer
Sent: 16 Feb 2017 18:59:30 -0500
To: Greff, Stacie
Subject: FW: DAPL Protest (UNCLASSIFIED)

Jennifer Dick
Regional Counsel
(303) 563-9230

From: Dick, Jennifer
Sent: Wednesday, February 15, 2017 2:06:40 PM
To: Greff, Stacie
Subject: FW: DAPL Protest (UNCLASSIFIED)

fyi

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

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From: Dick, Jennifer
Sent: Wednesday, February 15, 2017 11:54 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: FW: DAPL Protest (UNCLASSIFIED)
Importance: High

Hi Nancy-

Below is a link to information on the Emergency Federal Law Enforcement Assistance Program (EFLEA). The program authorizes the US Attorney General to provide "federal law enforcement assistance" to a state overwhelmed by a "law enforcement emergency"—meaning an uncommon situation that requires law enforcement, which is or threatens to become a serious or epidemic proportions, and with respect to which state and local resources are inadequate to protect the lives and property of citizens or to enforce the criminal law. The assistance provided can include "funds, equipment, training, intelligence information, [or] personnel."

https://www.ncjrs.gov/pdffiles/eflea.pdf

The informational fact sheet notes that although the Federal government has programs to assist States and local governments with natural disasters, until 1984 there was no coordinated Federal response for any other type of emergency. It references a number of unexpected law enforcement emergencies. The fact sheet also discusses application process, as well as examples of recent EFLEA awards.

This may assist in your dialogue with Greg.

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this message in error, please reply immediately to the sender and delete this message. Thank you.

From: Sevier, Adrian
Sent: Wednesday, February 15, 2017 11:22 AM
To: Allen, Jotham <Jotham.Allen@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Subject: FW: DAPL Protest (UNCLASSIFIED)

FYI.

From: Dragani, Nancy
Sent: Wednesday, February 15, 2017 10:49 AM
To: Bibo, David <David.Bibo@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

Dave,

Thanks. I'll look at this and reformat. I'll plan to reach back out to Greg with this information.

Thanks to you, Corey and Bob for taking a few extra minutes on the call to discuss this.

Regards, Nancy

From: Bibo, David
Sent: Wednesday, February 15, 2017 9:43 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>
Subject: FW: DAPL Protest (UNCLASSIFIED)

Nancy – here's the paper we discussed. Upon review, I think this provides good background and a sense of our reasons for believing Stafford Act is not the appropriate approach for this incident. But it's not suitable for sharing in this form. To support the outreach Mr. Fenton suggested you do with the state, recommend looking at the historical analysis section.

If needed, recommend reaching out to Adrian and Josh for additional insight on the specific DOJ programs and authorities we know to be available and more appropriate for this situation.

From: Dozor, Joshua
Sent: Monday, February 13, 2017 2:30 PM
To: Gautier, Peter W. EOP/NSC <(b)(6)@nsc.eop.gov>; (b)(6)
USAF JS J5 (US <(b)(6)@mail.mil>; (b)(6)
<(b)(6)@mail.mil>; (b)(6)@mail.mil>;
(b)(6)@ios.doi.gov>; (b)(6)@ios.doi.gov>;
(b)(6)@HQ.DHS.GOV>; Bibo, David <David.Bibo@fema.dhs.gov>;
Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>
Cc: (b)(6) EOP/NSC <(b)(6)@nsc.eop.gov>; (b)(6)
EOP/NSC <(b)(6)@nsc.eop.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

Peter
Attached is our FEMA analysis of past EMs due today. It also includes excerpts from the National Response Framework on the availability and roles in activating an ESF for non-Stafford act events.

- Josh

Joshua C. Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
Cell: 202-631-6877
SPRNet: Joshua.dozor@dhs.sgov.gov

From: Dozor, Joshua
Sent: Monday, February 13, 2017 6:56 AM
To: Gautier, Peter W. EOP/NSC <(b)(6)@nsc.eop.gov>; (b)(6)
USAF JS J5 (US <(b)(6)@mail.mil>; (b)(6)
<(b)(6)@mail.mil>; (b)(6)@mail.mil>;
(b)(6)@ios.doi.gov> (b)(6)@ios.doi.gov>;
(b)(6)@HQ.DHS.GOV>; Bibo, David <David.Bibo@fema.dhs.gov>
Cc: (b)(6) EOP/NSC <(b)(6)@nsc.eop.gov>; (b)(6)
EOP/NSC (b)(6)@nsc.eop.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

Peter
The NRCC is activated 24/7 for the California Orville Dam flooding event and all the

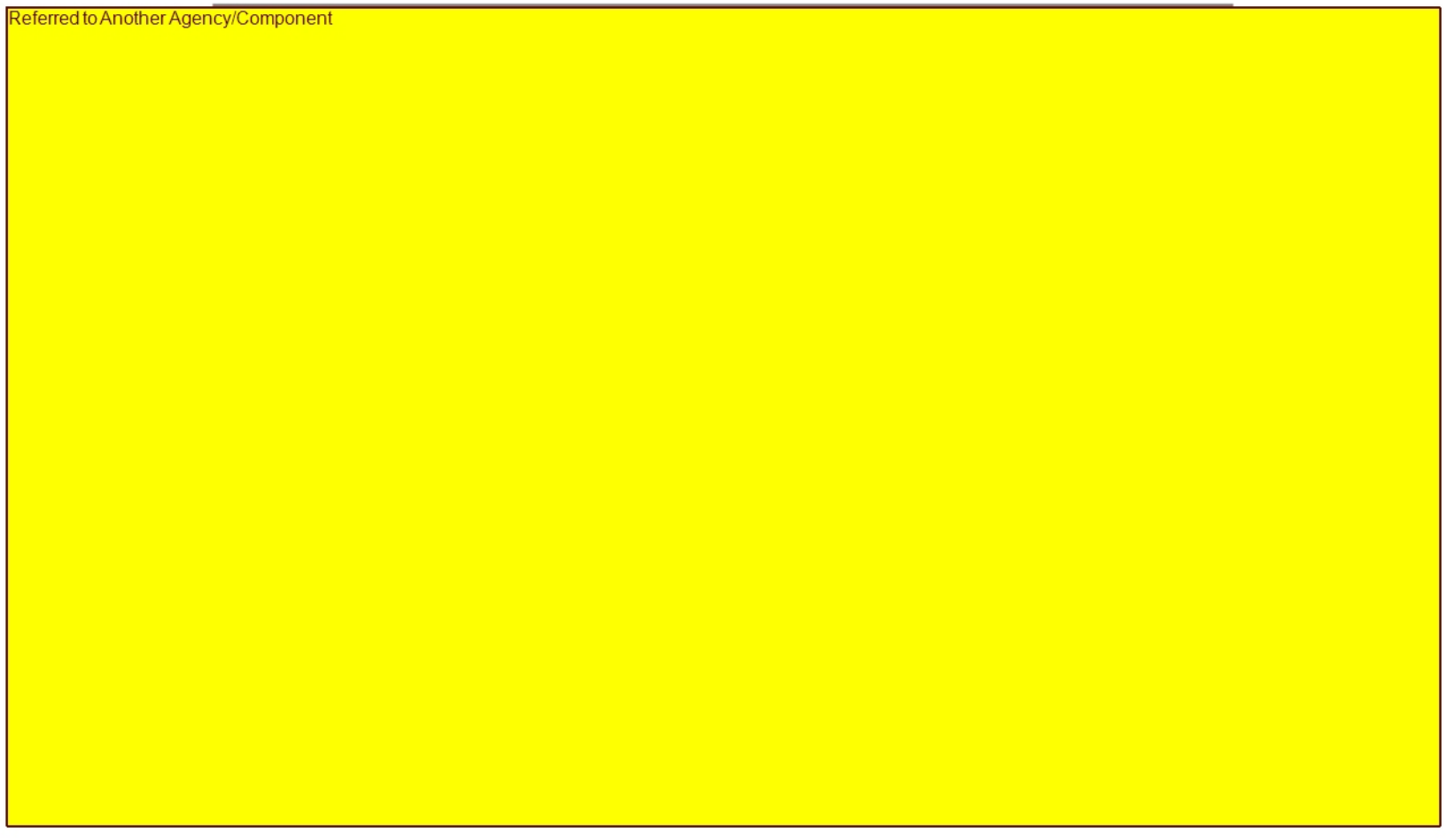
FEMA attendees have operational roles on the NRCC. Can we get a call-in to participate?

I must mention to the group at this opportunity that this California incident is a perfect example of when federal emergency response assistance is warranted for a potential dam breach situation. We are watching several other dams at-risk across the mid-west as well that we need to have capabilities on hand to support if needed. The North Dakota incident - while it could foreseeably require such emergency assistance in the future - is not at the point where Stafford Act assistance is required to support the State.

In the California situation, unlike in North Dakota at this time, the Governor declared a state of Emergency and their EOC is at full activation. The State has deployed its incident management team, its swift water SAR teams, and is supporting evacuations of about 192,000 people. As of this morning, shelters are open with 350 occupants and the State has indicated a need for logistics commodities.

- josh

Joshua C. Dozor
Director, Planning and Exercises
FEMA Response Directorate
Cell: 202-631-6877



Page 0873

Withheld pursuant to exemption

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From: Greff, Stacie
Sent: 17 Feb 2017 17:04:17 +0000
To: Dombrowski, Justin
Subject: FW: One change: DAPL Prep (pasted into email if needed)

From: Greff, Stacie
Sent: Thursday, February 16, 2017 11:25 PM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: One change: DAPL Prep (pasted into email if needed)

One clarification from points:

Riots were a DR (PA, IA, HMGP).
Boston bombing was an EM.

Sent from my iFEMA mobile device.

From: Dragani, Nancy
Sent: Friday, February 17, 2017 12:51:41 AM
To: Greff, Stacie; Dick, Jennifer
Cc: Deal, Timothy
Subject: RE: DAPL Prep (pasted into email if needed)

Thanks! I'll back brief when I get to the airport tomorrow night.

Sent from my iFEMA mobile device.

From: Greff, Stacie
Sent: Thursday, February 16, 2017 7:22:23 PM
To: Dragani, Nancy; Dick, Jennifer
Cc: Deal, Timothy
Subject: DAPL Prep (pasted into email if needed)

ARA North Dakota Background / Talking Points – DAPL Issue:

Potential Questions/Answers:

Q: What about the Stafford Act for an Emergency or Major Declaration?
A: The Stafford Act is not an appropriate approach for this situation.

Q: Why isn't Stafford appropriate?
A: Here are the reasons:

- Stafford is not appropriate where another federal agency has specific authority to address a state need.
    - DOJ has specific authority to declare law enforcement emergencies.
- Stafford also is not appropriate to supplement lack of funding of another federal agency that has the authority to respond.
- Stafford Act has not been approved for recent incidents where states were seeking supplementary law enforcement assistance.
    - June 2016 – Orlando mass shooting. Emergency declaration denied.
    - June 2015 – Baltimore civil unrest. Emergency declaration denied.
    - DOJ provided $1M in grant assistance for both events listed above.

Q: Wait, didn't FEMA give a declaration for the Boston Marathon bombing?
A: Yes, FEMA did. However, they provided support for response and security activities, not law enforcement investigations. Of note, DOJ provided assistance through the Emergency Federal Law Enforcement Assistance (EFLEA) grant. ($1.9M)

Q: Hey, what about the LA Riots? FEMA granted assistance.
A: An Emergency Declaration was granted to manage the response to fire hazards, not to manage the enforcement of law.

Q from the Governor: Even though you say that Stafford isn't appropriate, I can ask FEMA for an Emergency Declaration, right?
A: Governor, it is always your right to request assistance through FEMA to the President for a federal disaster declaration. However, this situation does not fit Stafford Act given that the need is for law enforcement.

Q: Can FEMA provide anything if you are saying a declaration is unlikely?
A: FEMA would be able to provide technical assistance with planning if the state sees that as a need.

For your background:

A Major Declaration is specific to natural catastrophe, fire and explosion.

An Emergency Declaration has a broader definition. However, it is still not appropriate based on the above points relating to other agencies' specific authorities and prior declaration precedent.

Emergency Federal Law Enforcement Assistance (EFLEA) grant:
https://www.ncjrs.gov/pdffiles/eflea.pdf

- Federal law enforcement assistance to a state overwhelmed by a law enforcement emergency
- Assistance provided can include "funds, equipment, training, intelligence information, [or] personnel.

Talk about the fact that you have been in touch with Grez Wilz to monitor the situation.

Stress you were in South Dakota supporting their recent disaster and decided to get some on the ground awareness.

Highly recommend that you attend on your own and that Nancy Casper and Jon Huss do not participate. We need to keep this as low-key as we possibly given the situation.

Go in normal dress, not FEMA gear.

Nancy E. Gist, Director
U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

The Emergency Federal Law Enforcement Assistance Program

The Federal Government administers a variety of assistance programs to provide a coordinated response to State and local governments stricken by natural dis- asters. During such extraordinary circumstances, when State or local agencies are incapable of unilaterally coping with the aftermath of a flood, hurricane, tornado, or other natural calamity, the Federal Government has come to their aid with a multiagency response.

Although the Federal Government has programs to assist State and local governments with natural disasters, until 1984 there was no coordinated Federal response for any other type of emergency. A number of events occurring in the late 1970's and early 1980's are examples of the types of unexpected law enforcement emergencies State and local agencies may face: the Atlanta child murders; the Los Angeles Night Stalker, San Francisco Zodiac, and Seattle Green River serial murder investigations; and the Mariel Cuban boatlift. Although the Federal Government's primary law enforcement role is to enforce Federal criminal statutes, it can play an ancillary role by assisting State and local governments with unexpected law enforcement emergencies that overwhelm their capacities to respond.

Program Scope and Purpose

On October 12, 1984, the Emergency Federal Law Enforcement Assistance (EFLEA) Program was enacted into law as part of the Justice Assistance Act of 1984 (Public Law 98–473) and is now administered by the Bureau of Justice Assistance (BJA), Office of Justice Programs, U.S. Department of Justice. Its function is to assist State and/or local units of government in responding to law enforcement emergencies through the provision of Federal law enforcement assistance. The EFLEA Program authorizes the Attorney General to provide funds, equipment, training, intelligence information, and personnel to help alleviate emergency situations. It also authorizes the Director of BJA to assist the Attorney General in providing EFLEA assistance and coordinating program activities.

Congress' intent in passing the EFLEA Program was to create an assistance program to address extraordinary circumstances that have the potential to create serious threats to public safety. Congress limited the number of eligible law enforcement emergencies by restricting applicability to situations in which State and local re- sources have been completely exhausted or are inadequate to deal with a law enforcement emergency. The legislative history of the Justice Assistance Act of 1984 indicates that Congress expected few emergencies to be dire enough to require Federal involvement through EFLEA. The program was never intended to be a routine source of Federal financial assistance for criminal justice activities.

Section 609N(3) of the Justice Assistance Act clearly delineates the purpose of EFLEA and limits its applicability by defining a "law enforcement emergency" as:

> . . . an uncommon situation which requires law enforcement, which is or threatens to become of serious epidemic proportions, and with respect to which State and local resources are inadequate to protect the lives and property of citizens or to enforce the criminal law, except that such term **does not** [emphasis added] include the perceived need for
> planning or other activities related to crowd control
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> for general public safety projects, or a situation requiring the enforcement of laws associated with scheduled public events, including political conventions and sports events.

The EFLEA Program serves a special purpose in alleviating damage resulting from a law enforcement emergency and providing financial support for actions taken to prevent further losses.

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If a law enforcement emergency exists throughout a State or in part of a State, the State may submit an application for itself or for units of local government to the U.S. Attorney General for EFLEA Program assis- tance. The application must meet certain criteria and be submitted in writing by the Governor in accordance with established EFLEA application guidelines, as de- scribed in the following sections.

Key Determining Factors

The Attorney General evaluates EFLEA Program applications based on the likelihood that the situation will escalate into a law enforcement emergency of epi- demic proportions, posing an imminent threat to public safety. The law enforcement emergency must be of sufficient magnitude to overwhelm the State or local government's ability to respond. Based on these criteria, the Attorney General approves or disapproves funding awards within 10 days after receiving the application.

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The Governor should submit a written application and signed transmittal letter that include the following elements:

- **Problem.** A description of the nature and extent of the law enforcement emergency, including the specific identification and description of the political and jurisdictional subdivision(s) where the emergency exists.
- **Resources.** A description of the State and local criminal justice resources available to address the emergency and an explanation of why and to what degree they are insufficient.
- **Required assistance.** A specific statement of the funds, equipment, training, intelligence information, and/or personnel requested and a description of their intended use.
- **Other assistance.** Information about any other assistance the State or appropriate unit of government has received or could receive under the provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

- **Complete line-item budget.** A budget accompanied by a detailed narrative explaining all costs for which EFLEA funding is requested and showing how such costs were derived.

- **Signed and dated assurance statement.** A statement certifying compliance with applicable Federal statutes, regulations, policies, guidelines, and requirements.

- **Certification statements.** Statements concerning lobbying, debarment, suspension, drug-free workplace requirements, and other responsibility matters.

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Program Limitations

The EFLEA Program is not a grant program for normal and customary criminal justice expenditures; therefore, the following activities are not eligible for funding:

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- **Use of Federal law enforcement personnel.** Federal law enforcement personnel may not be used to investigate violations of criminal law other than violations for which investigation is authorized by other pro- visions of law (Section 6090(a) of the Justice Assistance Act).

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Examples of Recent Awards

EFLEA awards have been made for the following extraordinary law enforcement emergencies:

- **Suspicious deaths.** In June 1995, the State of Indiana requested funds to assist in investigating suspicious deaths in the intensive care unit of the Vermillion County Hospital in Clinton. The State was awarded
$330,578 to support task force efforts in conducting a homicide investigation, exhuming dozens of bodies buried in cemeteries in several States, conducting autopsies and forensic analyses, and securing medical experts.

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a supplemental award totaling $1.14 million for over- time, fringe benefit costs, travel, and for associated expenses such as aircraft operations, equipment rental, and office supplies.

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Bureau of Justice Assistance 633 Indiana Avenue NW. Washington, DC 20531
202–616–2356

FS000034
September 1996

From: Greff, Stacie
Sent: 17 Feb 2017 06:24:47 +0000
To: Dragani, Nancy;Dick, Jennifer
Cc: Deal, Timothy
Subject: One change: DAPL Prep (pasted into email if needed)

One clarification from points:

Riots were a DR (PA, IA, HMGP).
Boston bombing was an EM.

Sent from my iFEMA mobile device.

From: Dragani, Nancy
Sent: Friday, February 17, 2017 12:51:41 AM
To: Greff, Stacie; Dick, Jennifer
Cc: Deal, Timothy
Subject: RE: DAPL Prep (pasted into email if needed)

Thanks! I'll back brief when I get to the airport tomorrow night.

Sent from my iFEMA mobile device.

From: Greff, Stacie
Sent: Thursday, February 16, 2017 7:22:23 PM
To: Dragani, Nancy; Dick, Jennifer
Cc: Deal, Timothy
Subject: DAPL Prep (pasted into email if needed)

ARA North Dakota Background / Talking Points – DAPL Issue:

Potential Questions/Answers:

Q: What about the Stafford Act for an Emergency or Major Declaration?
A: The Stafford Act is not an appropriate approach for this situation.

Q: Why isn't Stafford appropriate?
A: Here are the reasons:

- Stafford is not appropriate where another federal agency has specific authority to address a state need.
    - DOJ has specific authority to declare law enforcement emergencies.

- Stafford also is not appropriate to supplement lack of funding of another federal agency that has the authority to respond.
- Stafford Act has not been approved for recent incidents where states were seeking supplementary law enforcement assistance.
    - June 2016 – Orlando mass shooting. Emergency declaration denied.
    - June 2015 – Baltimore civil unrest. Emergency declaration denied.
    - DOJ provided $1M in grant assistance for both events listed above.

Q: Wait, didn't FEMA give a declaration for the Boston Marathon bombing?
A: Yes, FEMA did. However, they provided support for response and security activities, not law enforcement investigations. Of note, DOJ provided assistance through the Emergency Federal Law Enforcement Assistance (EFLEA) grant. ($1.9M)

Q: Hey, what about the LA Riots? FEMA granted assistance.
A: An Emergency Declaration was granted to manage the response to fire hazards, not to manage the enforcement of law.

Q from the Governor: Even though you say that Stafford isn't appropriate, I can ask FEMA for an Emergency Declaration, right?
A: Governor, it is always your right to request assistance through FEMA to the President for a federal disaster declaration. However, this situation does not fit Stafford Act given that the need is for law enforcement.

Q: Can FEMA provide anything if you are saying a declaration is unlikely?
A: FEMA would be able to provide technical assistance with planning if the state sees that as a need.

For your background:

A Major Declaration is specific to natural catastrophe, fire and explosion.

An Emergency Declaration has a broader definition. However, it is still not appropriate based on the above points relating to other agencies' specific authorities and prior declaration precedent.

Emergency Federal Law Enforcement Assistance (EFLEA) grant:
https://www.ncjrs.gov/pdffiles/eflea.pdf

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Bureau of Justice Assistance 633 Indiana Avenue NW. Washington, DC 20531
202–616–2356

FS000034
September 1996

From: Dick, Jennifer
Sent: 31 Jan 2017 18:15:31 -0500
To: Greff, Stacie
Subject: RE: ACTION: Review for Senate Indian Affairs Committee Input

I thought it looked pretty good—just some minor suggestions.

(b)(5)

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this message in error, please reply immediately to the sender and delete this message. Thank you.

From: Floyd, Megan
Sent: Tuesday, January 31, 2017 2:44 PM
To: Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: ACTION: Review for Senate Indian Affairs Committee Input

Stacie and Jen –

Below is the background information that we pulled together for the Senate Indian Affairs Committee Hearing scheduled for next week. Please let me know if you have any changes. It is due back to HQ by COB today. I apologize for the quick turnaround time.

1) Standing Rock: Dakota Access Pipeline Protests - There have been no requests for FEMA assistance from the Tribe or the State

- Background: On April 1, 2016 people began to gather and protest the Dakota Access Pipeline just north of the Standing Rock Reservation border. Protest crowds were estimated at 10,000 plus (NYTimes) during their peak. Since December 2016, when the Army Corps of Engineers did not approve the easement necessary to permit the pipeline to cross under Lake Oahe, the numbers at the protest camps have fallen to around 500 (+/-). Due to the significant crowd size, North Dakota provided additional law enforcement resulting in substantial costs to the State office of Homeland Security. In October, the State of North Dakota started to talk about EMAC to support the law enforcement efforts. Ultimately other states did provide support to the State of ND. In late September, Senator Hoeven spoke with former administer Fugate regarding the need to provide financial assistance to the State to support law enforcement. The State has not made any official requests of FEMA for assistance. The Standing Rock Sioux Tribe has not reached out to FEMA for assistance either. At this time, both the Standing Rock Sioux Tribe and the State of North Dakota have called on protestors to leave the protest site and return home based on concerns for spring flooding and the impacts of the protest camp on the local community. FEMA is not engaged on the issue beyond passive monitoring. See most recent news from Senator Hoeven below.

2) Rocky Boy's: OIG Audit

- In 2010 The Chippewa Cree of the Rocky Boy's reservation was a direct grantee for DR-1922. Following the event there have been numerous issues with tribal officials misusing FEMA and other federal funds. The Montana US Attorney's office and the Department of the Interior OIG have prosecuted several individuals. THE DHS OIG has also been involved and is looking specifically at the misuse of FEMA Public Assistance grants. The OIG has been involved with audits of DR-1922 for several years. Currently they are auditing Project Worksheets related to a health clinic that was destroyed during the disaster.

3) EMPG: Funds not available directly to tribal governments

- Tribes across Region VIII has been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their emergency management programs and in some cases some funds trickle down to tribes, however, the tribes do not have direct access to these funds. The tribes in Region VIII have expressed concerns about the requirements for receiving a direct Presidential Emergency or Major Disaster declaration because they do not have access to grant program funds to support the development of their emergency management programs and internal capacity.

Additional BIA officers to be dispatched to ND to assist with DAPL protests

KFYR-TV, Bismarck
Posted: Fri 5:00 PM, Jan 27, 2017 |
Updated: Fri 5:02 PM, Jan 27, 2017

WASHINGTON, D.C. - Senator John Hoeven announced Friday the Bureau of Indian Affairs has dispatched 20 additional officers to North Dakota to help state and local law enforcement at the Dakota Access Pipeline protest sites.

This will bring the total number of BIA officers at the site to 40.

"We're working to get more federal law enforcement assistance to work with state and local law enforcement officers. The BIA has committed to provide an additional 20 officers, who should be there this weekend. In addition, we're working with both the Department of Homeland Security and the Department of Justice to provide additional resources as well," Hoeven said.

From: Krikava, Richard
Sent: Thursday, January 26, 2017 3:17:58 PM
To: Norris, Rachael; Deshong, Casey; Hunter, Cynthia; Cappannari, Michael L; Shulman, Dan; Golding, Noah; Rigby, Corey; Murphy, Kendall; Alvarado, Diego
Cc: Trytten, Dana; Booth, Milo
Subject: Senate Indian Affairs Committee

Team:

As you may have heard, we've got a hearing coming up in the Senate Indian Affairs Committee on Feb. 8. In an effort to prepare our witness for questions that may be lobbed at him, could you please take a look at the list of Senators below, and let me know if there are any boogeyman issues related to FEMA out there that might flare up in the hearing (related to Indian Country or otherwise)?

I'm just looking for a few lines on the issues that might be out there, and if we need to dig in deeper, we can go from there.

Something by COB Tuesday, Jan. 31?

Thanks, and call me if you have any questions. (Also, I'm sure our Tribal Branch here at HQ are pinging your Regional Tribal Liaisons, too.)

REPUBLICANS

John Hoeven, Member - Chairman (ND)
John Barrasso, Member (WY)
John McCain, Member (AZ)
Lisa Murkowski, Member (AK)
James Lankford, Member (OK)
Steve Daines, Member (MT)
Michael Crapo, Member (ID)
Jerry Moran, Member (KS)

DEMOCRATS

Tom Udall, Member - Vice Chairman (NM)
John Tester, Member (MT)
Maria Cantwell, Member (WA)
Al Franken, Member (MN)
Brian Schatz, Member (HI)
Heidi Heitkamp, Member (ND)
Catherine Cortez Masto, Member (NV)

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov



From: Floyd, Megan
Sent: 31 Jan 2017 18:47:23 -0500
To: Greff, Stacie
Cc: Dombrowski, Justin;Dick, Jennifer
Subject: RE: ACTION: Review for Senate Indian Affairs Committee Input

Thank you all. I have recolored everything and sent to Randy to provide to HQ.

From: Greff, Stacie
Sent: Tuesday, January 31, 2017 4:30 PM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Cc: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Subject: ACTION: Review for Senate Indian Affairs Committee Input

Megan -- Jen's edits are in red, and I added some additional ones in purple, plus I did some formatting. Information is just below. Thanks. Stacie

(b)(5)

(b)(5)

From: Dick, Jennifer
Sent: Tuesday, January 31, 2017 4:16 PM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: ACTION: Review for Senate Indian Affairs Committee Input

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From: Krikava, Richard
Sent: Thursday, January 26, 2017 3:17:58 PM
To: Norris, Rachael; Deshong, Casey; Hunter, Cynthia; Cappannari, Michael L; Shulman, Dan; Golding, Noah; Rigby, Corey; Murphy, Kendall; Alvarado, Diego

Cc: Trytten, Dana; Booth, Milo
Subject: Senate Indian Affairs Committee

Team:

As you may have heard, we've got a hearing coming up in the Senate Indian Affairs Committee on Feb. 8. In an effort to prepare our witness for questions that may be lobbed at him, could you please take a look at the list of Senators below, and let me know if there are any boogeyman issues related to FEMA out there that might flare up in the hearing (related to Indian Country or otherwise)?

I'm just looking for a few lines on the issues that might be out there, and if we need to dig in deeper, we can go from there.

Something by COB Tuesday, Jan. 31?

Thanks, and call me if you have any questions. (Also, I'm sure our Tribal Branch here at HQ are pinging your Regional Tribal Liaisons, too.)

REPUBLICANS

John Hoeven, Member - Chairman (ND)
John Barrasso, Member (WY)
John McCain, Member (AZ)
Lisa Murkowski, Member (AK)
James Lankford, Member (OK)
Steve Daines, Member (MT)
Michael Crapo, Member (ID)
Jerry Moran, Member (KS)

DEMOCRATS

Tom Udall, Member - Vice Chairman (NM)
John Tester, Member (MT)
Maria Cantwell, Member (WA)
Al Franken, Member (MN)
Brian Schatz, Member (HI)
Heidi Heitkamp, Member (ND)
Catherine Cortez Masto, Member (NV)

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov


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From: Greff, Stacie
Sent: 16 Feb 2017 21:55:21 +0000
To: Tennyson, Stephanie
Subject: RE: DAPL / Call with Gov. Burgum

Thanks. Between the two of us….we'll keep stitched ☺

From: Tennyson, Stephanie
Sent: Thursday, February 16, 2017 2:40 PM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: FW: DAPL / Call with Gov. Burgum

For info and background.

From: Parker, Robert
Sent: Thursday, February 16, 2017 11:27 AM
To: Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>
Cc: Doolin, Joel <joel.doolin@fema.dhs.gov>; Cameron, Michael K <Michael.Cameron@fema.dhs.gov>; Hall, Daniel F <Daniel.Hall@fema.dhs.gov>; Tennyson, Stephanie <stephanie.tennyson@fema.dhs.gov>; Martinet, Mary E <Mary.Martinet@fema.dhs.gov>
Subject: FW: DAPL / Call with Gov. Burgum

FYI: I spoke at length this morning with Tim Quinn, Executive Director, U.S. Customs and Border Protection, Office of Intergovernmental Public Liaison, regards the North Dakota pipeline situation and possible FEMA and CBP involvement. CBP was asking for this discussion based on recent phone conferences the CBP Deputy Commissioner had with the North Dakota Governor. Our discussion focused on the basics of Stafford Act operations including mission assignments, PPD 44 non-Stafford Act operations, and in this case the fact that it was EXTREMELY unlikely there would be a Stafford Declaration given the existence of other specific authorities (EFLEA) to provide law enforcement support. I think he was appreciative and has a much better understanding. He has my contact information and I encouraged him to reach back if there's a need for follow-up discussions.

Robert Parker I **Deputy Associate Chief Counsel I FEMA/OCC/Response I (d) 202-646-4265 (m) 202-834-1226**
This communication, along with any attachments, is covered by Federal and State law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.

From: (b)(6)
Sent: Wednesday, February 15, 2017 12:14 PM
To: Parker, Robert <Robert.Parker@fema.dhs.gov>
Subject: RE: DAPL / Call with Gov. Burgum

Thanks Robert. I'll be back in the office this afternoon. Can I call you around 2:30?

Thanks again.

TQ

From: Parker, Robert
Sent: Wednesday, February 15, 2017 4:34:49 PM
To: (b)(6)
Subject: RE: DAPL / Call with Gov. Burgum

Hello Tim: Let me know when it would be convenient to discuss by phone?

Robert Parker I **Deputy Associate Chief Counsel** I **FEMA/OCC/Response** I (d) **202-646-4265**
(m) **202-834-1226**
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From: Tennyson, Stephanie
Sent: Wednesday, February 15, 2017 9:47 AM
To: (b)(6)@cbp.dhs.gov>; Parker, Robert <Robert.Parker@fema.dhs.gov>
Cc: HYLAND, MARY (b)(6)@cbp.dhs.gov>; SCHMIDT, PATRICK R (b)(6)@cbp.dhs.gov>
Subject: RE: DAPL / Call with Gov. Burgum

Hi Tim,
Connecting you here with Bob Parker from our Chief Counsel's office. He is Deputy Associate Chief Counsel for Response. His contact information is below.
Thanks,
Stephanie

Robert Parker I **Deputy Associate Chief Counsel** I **FEMA/OCC/Response** I (d) **202-646-4265**
(m) **202-834-1226**

Referred to Another Agency/Component

Referred to Another Agency/Component

From: Tennyson, Stephanie
Sent: Tuesday, February 14, 2017 11:00:20 PM
To: QUINN, TIMOTHY; Clark, Alaina
Cc: HYLAND, MARY; SCHMIDT, PATRICK R
Subject: RE: DAPL / Call with Gov. Burgum

Hi Tim,
I'm happy to connect someone in FEMA legal with your legal. Not sure it's as simple as FEMA covering the costs.
Thanks,
Steph

From: QUINN, TIMOTHY
Sent: Tuesday, February 14, 2017 4:48 PM
To: Clark, Alaina (b)(6)@hq.dhs.gov>; Tennyson, Stephanie <stephanie.tennyson@fema.dhs.gov>
Cc: HYLAND, MARY (b)(6)@cbp.dhs.gov>; SCHMIDT, PATRICK R (b)(6)@cbp.dhs.gov>
Subject: RE: DAPL / Call with Gov. Burgum

I was just about to send you a read out from the call. It went well. Gov. Burgum was very thankful for the AMO support that CBP continues to provide and for the two USBP deployments to DAPL late last year. C2 explained the appropriations issue with the use of USBP resources; namely that there must be an existing emergency (threat to life, public safety, property). C2 provided some example of what normally constitutes emergency situations for which we would provide assistance to state and local government – vehicle accidents, hostage situations, etc. The Governor understood. He asked if our analysis would change if FEMA declared it an emergency situation. We said we would research that with our legal counsel. Since the call we have learned that CBP has assisted in declared emergency situations before but that FEMA covered the costs. I want to drill down on that a little before we coordinate a response back to the governor.

He indicated that he would be grateful for any assistance we could provide and did not focus on the specific request in his letter (100 BPAs for 90 days). We made him aware of our limited staffing in the ND area. He expressed disappointment/frustration that the U.S. Marshal Service was not assisting here. The

governor contrasted the USMS response to DAPL with the agency's response in 2014 to the Oregon National Wildlife Refuge standoff.

Overall good call. We will do some more research on the Governor's question about a "declared emergency" and will lash up with you before we respond to ND.

Please let me know if you have any questions.

TQ

From: Clark, Alaina
Sent: Tuesday, February 14, 2017 4:23 PM
To: QUINN, TIMOTHY <(b)(6)@cbp.dhs.gov>; Tennyson, Stephanie <stephanie.tennyson@fema.dhs.gov>
Cc: HYLAND, MARY <(b)(6)@cbp.dhs.gov>
Subject: RE: DAPL / Call with Gov. Burgum

Hi Tim,
Wanted to check in and see how the call went with the Governor earlier today.
Thanks,
Alaina

From: QUINN, TIMOTHY
Sent: Tuesday, February 14, 2017 10:36 AM
To: Tennyson, Stephanie <stephanie.tennyson@fema.dhs.gov>; Clark, Alaina (b)(6)@hq.dhs.gov>
Cc: HYLAND, MARY <(b)(6)@cbp.dhs.gov>
Subject: RE: DAPL / Call with Gov. Burgum

Thanks Stephanie. Appreciate the information.

From: Tennyson, Stephanie
Sent: Tuesday, February 14, 2017 10:01 AM
To: QUINN, TIMOTHY <(b)(6)@cbp.dhs.gov>; Clark, Alaina <(b)(6)@hq.dhs.gov>
Cc: HYLAND, MARY (b)(6)@cbp.dhs.gov>
Subject: RE: DAPL / Call with Gov. Burgum

Just heard from the Region. ND asked for the template on Fri but said they were not going to submit (though that came from the Dpty EM Dir and was a couple of days ago). The External Affairs team is not aware of any submission for an emergency dec from from ND.
We did have CA come in after 10pm last night. Please let me know if you need anything else.

Stephanie Tennyson
Acting Director, External Affairs
Federal Emergency Management Agency

(O) 202.212.1740 | (M) 202.309.4257



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From: Tennyson, Stephanie
Sent: Tuesday, February 14, 2017 9:22 AM
To: QUINN, TIMOTHY <(b)(6)@cbp.dhs.gov>; Clark, Alaina <(b)(6)@hq.dhs.gov>
Cc: HYLAND, MARY <(b)(6)@cbp.dhs.gov>
Subject: RE: DAPL / Call with Gov. Burgum

We've not seen an emergency dec request from ND come up to HQ as of yet. I'm pinging the region out in Denver now, and will circle back.

From: QUINN, TIMOTHY
Sent: Tuesday, February 14, 2017 9:14 AM
To: Clark, Alaina (b)(6)@hq.dhs.gov>
Cc: HYLAND, MARY <(b)(6)@cbp.dhs.gov>; Tennyson, Stephanie <stephanie.tennyson@fema.dhs.gov>
Subject: RE: DAPL / Call with Gov. Burgum

Perfect. Thank you!

TQ

From: Clark, Alaina
Sent: Tuesday, February 14, 2017 9:05 AM
To: QUINN, TIMOTHY <(b)(6)@cbp.dhs.gov>
Cc: HYLAND, MARY (b)(6)@cbp.dhs.gov>; Tennyson, Stephanie <stephanie.tennyson@fema.dhs.gov>
Subject: RE: DAPL / Call with Gov. Burgum

Hi Tim,
No concerns from me- also I heard this morning that the state submitted an emergency declaration around 10pm last night to FEMA. I've looped in Stephanie Tennyson from FEMA so she can provide us with any necessary TPs that we need C2 to have.

Steph- C2 is speaking with the ND Governor in a few hours, can you share any TPs he should have in regards to the emergency declaration that was submitted last night.

Thanks,
Alaina

Page 0902

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

From: Dombrowski, Justin
Sent: 13 Feb 2017 10:19:59 -0500
To: Greff, Stacie
Subject: RE: DAPL Follow Up

Talking w/Jen, per a note you had w/her on Sat, Josh Dozor may be involved in follow-up meeting today. Just spoke w/Lee, he id'd folks to help support if needed and he's working w/Nancy who's working w/HQ.

From: Greff, Stacie
Sent: Monday, February 13, 2017 8:11 AM
To: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: RE: DAPL Follow Up

We are receiving this from another federal agency? What did we hear from HQ? Who is involved at that level?

From: Dombrowski, Justin
Sent: Monday, February 13, 2017 8:10 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>; Appenrodt, Kathleen <kathleen.appenrodt@fema.dhs.gov>
Cc: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: FW: DAPL Follow Up
Importance: High

Nancy, Tim, Team,
Note there are some actions for FEMA (HQ?) that came out of a meeting in DC on Fri. I don't have any additional details yet.

Pulled from attachment directly (5 total key items – 2 direct w/FEMA):

- The Federal Emergency Management Agency (FEMA) will provide an assessment of whether the situation in North Dakota may merit a presidential emergency declaration under the Stafford Act. FEMA's assessment will include a description of past precedent that may be relevant to the current situation. (Action: FEMA by February 13, 2017)

- DOJ and FEMA will assess whether and how, absent a Stafford Act declaration or external source of funding, the activation of Emergency Support Function (ESF) 13 could provide a Federal coordinating structure to enhance planning related to the situation in North Dakota. (Action: DOJ and FEMA by February 13, 2017)

Referred to Another Agency/Component

Page 0904

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Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

From: Dombrowski, Justin
Sent: 13 Feb 2017 10:13:11 -0500
To: Greff, Stacie
Subject: RE: DAPL Follow Up

I don't know yet…I used to work w/Kevin when he was with the intl USFS office and he shared for SA as he checked in last week w/his new position if we were doing anything and sync'd w/Megan. About to ask Jen if she knows anything as would expect legal would be involved, not sure who else.

From: Greff, Stacie
Sent: Monday, February 13, 2017 8:11 AM
To: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: RE: DAPL Follow Up

We are receiving this from another federal agency? What did we hear from HQ? Who is involved at that level?

From: Dombrowski, Justin
Sent: Monday, February 13, 2017 8:10 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>; Appenrodt, Kathleen <kathleen.appenrodt@fema.dhs.gov>
Cc: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: FW: DAPL Follow Up
Importance: High

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Referred to Another Agency/Component

Page 0906

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Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

From: Greff, Stacie
Sent: 13 Feb 2017 15:11:07 +0000
To: Dombrowski, Justin
Subject: RE: DAPL Follow Up

We are receiving this from another federal agency? What did we hear from HQ? Who is involved at that level?

From: Dombrowski, Justin
Sent: Monday, February 13, 2017 8:10 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>; Appenrodt, Kathleen <kathleen.appenrodt@fema.dhs.gov>
Cc: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: FW: DAPL Follow Up
Importance: High

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Referred to Another Agency/Component

Page 0908

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

From: Dombrowski, Justin
Sent: 13 Feb 2017 11:08:26 -0500
To: Dragani, Nancy;Deal, Timothy;Greff, Stacie;Dick, Jennifer;Appenrodt, Kathleen
Cc: Floyd, Megan;Depalo, Lee
Subject: RE: DAPL Follow Up

In follow-up, circled back w/Stacie, Jen and Lee…so dots are connected including Lee who has identified reps (planner/LNO types) that can support if needed and coordinating w/Nancy. Will see what DC comes up with on their meeting today. Thanks, Justin

---

From: Dombrowski, Justin
Sent: Monday, February 13, 2017 8:10 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>; Appenrodt, Kathleen <kathleen.appenrodt@fema.dhs.gov>
Cc: Floyd, Megan (Megan.Floyd@fema.dhs.gov) <Megan.Floyd@fema.dhs.gov>
Subject: FW: DAPL Follow Up
Importance: High

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- DOJ and FEMA will assess whether and how, absent a Stafford Act declaration or external source of funding, the activation of Emergency Support Function (ESF) 13 could provide a Federal coordinating structure to enhance planning related to the situation in North Dakota. (Action: DOJ and FEMA by February 13, 2017)

From: Dragani, Nancy
Sent: 13 Feb 2017 11:45:43 -0500
To: Dombrowski, Justin;Deal, Timothy;Greff, Stacie;Dick, Jennifer;Appenrodt, Kathleen
Cc: Floyd, Megan;Depalo, Lee
Subject: RE: DAPL Follow Up

Justin

Thanks for the back brief.

Nancy

Sent from my iFEMA mobile device.

From: Dombrowski, Justin
Sent: Monday, February 13, 2017 11:08:26 AM
To: Dragani, Nancy; Deal, Timothy; Greff, Stacie; Dick, Jennifer; Appenrodt, Kathleen
Cc: Floyd, Megan; Depalo, Lee
Subject: RE: DAPL Follow Up

In follow-up, circled back w/Stacie, Jen and Lee…so dots are connected including Lee who has identified reps (planner/LNO types) that can support if needed and coordinating w/Nancy. Will see what DC comes up with on their meeting today. Thanks, Justin

---

From: Dombrowski, Justin
Sent: Monday, February 13, 2017 8:10 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>; Appenrodt, Kathleen <kathleen.appenrodt@fema.dhs.gov>
Cc: Floyd, Megan (Megan.Floyd@fema.dhs.gov) <Megan.Floyd@fema.dhs.gov>
Subject: FW: DAPL Follow Up
Importance: High

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- The Federal Emergency Management Agency (FEMA) will provide an assessment of whether the situation in North Dakota may merit a presidential emergency declaration under the Stafford Act. FEMA's assessment will include a description of past precedent that may be relevant to the current situation. (Action: FEMA by February 13, 2017)

- DOJ and FEMA will assess whether and how, absent a Stafford Act declaration or external source of funding, the activation of Emergency Support Function (ESF) 13 could provide a Federal coordinating structure to enhance planning related to the situation in North Dakota. (Action: DOJ and FEMA by February 13, 2017)

From: Greff, Stacie
Sent: 17 Feb 2017 01:18:40 +0000
To: Dragani, Nancy
Subject: RE: DAPL Prep (pasted into email if needed)

Good luck!

Sent from my iFEMA mobile device.

From: Dragani, Nancy
Sent: Friday, February 17, 2017 12:51:41 AM
To: Greff, Stacie; Dick, Jennifer
Cc: Deal, Timothy
Subject: RE: DAPL Prep (pasted into email if needed)

Thanks! I'll back brief when I get to the airport tomorrow night.

Sent from my iFEMA mobile device.

From: Greff, Stacie
Sent: Thursday, February 16, 2017 7:22:23 PM
To: Dragani, Nancy; Dick, Jennifer
Cc: Deal, Timothy
Subject: DAPL Prep (pasted into email if needed)

ARA North Dakota Background / Talking Points – DAPL Issue:

Potential Questions/Answers:

Q: What about the Stafford Act for an Emergency or Major Declaration?
A: The Stafford Act is not an appropriate approach for this situation.

Q: Why isn't Stafford appropriate?
A: Here are the reasons:

- Stafford is not appropriate where another federal agency has specific authority to address a state need.
    - DOJ has specific authority to declare law enforcement emergencies.
- Stafford also is not appropriate to supplement lack of funding of another federal agency that has the authority to respond.

- Stafford Act has not been approved for recent incidents where states were seeking supplementary law enforcement assistance.
    - June 2016 – Orlando mass shooting. Emergency declaration denied.
    - June 2015 – Baltimore civil unrest. Emergency declaration denied.
    - DOJ provided $1M in grant assistance for both events listed above.

Q: Wait, didn't FEMA give a declaration for the Boston Marathon bombing?
A: Yes, FEMA did. However, they provided support for response and security activities, not law enforcement investigations. Of note, DOJ provided assistance through the Emergency Federal Law Enforcement Assistance (EFLEA) grant. ($1.9M)

Q: Hey, what about the LA Riots? FEMA granted assistance.
A: An Emergency Declaration was granted to manage the response to fire hazards, not to manage the enforcement of law.

Q from the Governor: Even though you say that Stafford isn't appropriate, I can ask FEMA for an Emergency Declaration, right?
A: Governor, it is always your right to request assistance through FEMA to the President for a federal disaster declaration. However, this situation does not fit Stafford Act given that the need is for law enforcement.

Q: Can FEMA provide anything if you are saying a declaration is unlikely?
A: FEMA would be able to provide technical assistance with planning if the state sees that as a need.

For your background:

A Major Declaration is specific to natural catastrophe, fire and explosion.

An Emergency Declaration has a broader definition. However, it is still not appropriate based on the above points relating to other agencies' specific authorities and prior declaration precedent.

Emergency Federal Law Enforcement Assistance (EFLEA) grant:
https://www.ncjrs.gov/pdffiles/eflea.pdf

- Federal law enforcement assistance to a state overwhelmed by a law enforcement emergency
- Assistance provided can include "funds, equipment, training, intelligence information, [or] personnel.

Talk about the fact that you have been in touch with Grez Wilz to monitor the situation.

Stress you were in South Dakota supporting their recent disaster and decided to get some on the ground awareness.

Highly recommend that you attend on your own and that Nancy Casper and Jon Huss do not participate. We need to keep this as low-key as we possibly given the situation.

Go in normal dress, not FEMA gear.

Nancy E. Gist, Director
U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

The Emergency Federal Law Enforcement Assistance Program

The Federal Government administers a variety of assistance programs to provide a coordinated response to State and local governments stricken by natural dis- asters. During such extraordinary circumstances, when State or local agencies are incapable of unilaterally coping with the aftermath of a flood, hurricane, tornado, or other natural calamity, the Federal Government has come to their aid with a multiagency response.

Although the Federal Government has programs to assist State and local governments with natural disasters, until 1984 there was no coordinated Federal response for any other type of emergency. A number of events occurring in the late 1970's and early 1980's are examples of the types of unexpected law enforcement emergencies State and local agencies may face: the Atlanta child murders; the Los Angeles Night Stalker, San Francisco Zodiac, and Seattle Green River serial murder investigations; and the Mariel Cuban boatlift. Although the Federal Government's primary law enforcement role is to enforce Federal criminal statutes, it can play an ancillary role by assisting State and local governments with unexpected law enforcement emergencies that overwhelm their capacities to respond.

Program Scope and Purpose

On October 12, 1984, the Emergency Federal Law Enforcement Assistance (EFLEA) Program was enacted into law as part of the Justice Assistance Act of 1984 (Public Law 98–473) and is now administered by the Bureau of Justice Assistance (BJA), Office of Justice Programs, U.S. Department of Justice. Its function is to assist State and/or local units of government in responding to law enforcement emergencies through the provision of Federal law enforcement assistance. The EFLEA Program authorizes the Attorney General to provide funds, equipment, training, intelligence information, and personnel to help alleviate emergency situations. It also authorizes the Director of BJA to assist the Attorney General in providing EFLEA assistance and coordinating program activities.

Congress' intent in passing the EFLEA Program was to create an assistance program to address extraordinary circumstances that have the potential to create serious threats to public safety. Congress limited the number of eligible law enforcement emergencies by restricting applicability to situations in which State and local re- sources have been completely exhausted or are

inadequate to deal with a law enforcement emergency. The legislative history of the Justice Assistance Act of 1984 indicates that Congress expected few emergencies to be dire enough to require Federal involvement through EFLEA. The program was never intended to be a routine source of Federal financial assistance for criminal justice activities.

Section 609N(3) of the Justice Assistance Act clearly delineates the purpose of EFLEA and limits its applicability by defining a "law enforcement emergency" as:

> . . . an uncommon situation which requires law enforcement, which is or threatens to become of serious epidemic proportions, and with respect to which State and local resources are inadequate to protect the lives and property of citizens or to enforce the criminal law, except that such term **does not** [emphasis added] include the perceived need for
>
> planning or other activities related to crowd control
>
> for general public safety projects, or a situation requiring the enforcement of laws associated with scheduled public events, including political conventions and sports events.

The EFLEA Program serves a special purpose in alleviating damage resulting from a law enforcement emergency and providing financial support for actions taken to prevent further losses.

Eligibility for Program Assistance

If a law enforcement emergency exists throughout a State or in part of a State, the State may submit an application for itself or for units of local government to the U.S. Attorney General for EFLEA Program assis- tance. The application must meet certain criteria and be submitted in writing by the Governor in accordance with established EFLEA application guidelines, as described in the following sections.

Key Determining Factors

The Attorney General evaluates EFLEA Program applications based on the likelihood that the situation will escalate into a law enforcement emergency of epi- demic proportions, posing an imminent threat to public safety. The law enforcement emergency must be of sufficient magnitude to overwhelm the State or local government's ability to respond. Based on these criteria, the Attorney General approves or disapproves funding awards within 10 days after receiving the application.

Application Requirements

The Governor should submit a written application and signed transmittal letter that include the following elements:

- **Problem.** A description of the nature and extentof the law enforcement emergency, including the specific identification and description of the political and jurisdictional subdivision(s) where the emergency exists.
- **Resources.** A description of the State and local criminal justice resources available to address the emergency and an explanation of why and to what degree they are insufficient.
- **Required assistance.** A specific statement of the funds, equipment, training, intelligence information, and/or personnel requested and a description of their intended use.
- **Other assistance.** Information about any other assistance the State or appropriate unit of government has received or could receive under the provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

❑ **Complete line-item budget.** A budget accompanied by a detailed narrative explaining all costs for which EFLEA funding is requested and showing how such costs were derived.

❑ **Signed and dated assurance statement.** A statement certifying compliance with applicable Federal statutes, regulations, policies, guidelines, and requirements.

❑ **Certificationstatements.** Statements concerning lobbying, debarment, suspension, drug-free workplace requirements, and other responsibility matters.

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Examples of Recent Awards

EFLEA awards have been made for the following extraordinary law enforcement emergencies:

- **Suspicious deaths.** In June 1995, the State of Indiana requested funds to assist in investigating suspicious deaths in the intensive care unit of the Vermillion County Hospital in Clinton. The State was awarded $330,578 to support task force efforts in conducting a homicide investigation, exhuming dozens of bodies buried in cemeteries in several States, conducting autopsies and forensic analyses, and securing medical experts.

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- **San Francisco earthquake.** In December 1989, the State of California submitted an application requesting assistance for law enforcement's response to the San Francisco earthquake. An award of $4.96 million was approved for law enforcement overtime, replacement or repair of damaged equipment, and emergency repairs to critical law enforcement facilities.

- **Hurricane Hugo.** In October and December of 1989, the State of South Carolina submitted applications requesting assistance for law enforcement's response to Hurricane Hugo. Two awards totaling $2.7 million were approved for law enforcement overtime, replacement or repair of damaged equipment, and emergency repairs to critical law enforcement facilities.

For Further Information

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Emergency Federal Law Enforcement Assistance (EFLEA) Program
Bureau of Justice Assistance 633 Indiana Avenue NW. Washington, DC 20531
202–616–2356

FS000034
September 1996

From: Greff, Stacie
Sent: 17 Feb 2017 06:20:21 +0000
To: Deal, Timothy
Subject: RE: DAPL Prep (pasted into email if needed)

Thanks but it was a major team effort between Jen and me ;).

Sent from my iFEMA mobile device.

From: Deal, Timothy
Sent: Friday, February 17, 2017 1:40:30 AM
To: Greff, Stacie
Subject: RE: DAPL Prep (pasted into email if needed)

Nice job Stacie.

Sent from my iFEMA mobile device.

From: Greff, Stacie
Sent: Thursday, February 16, 2017 5:22:23 PM
To: Dragani, Nancy; Dick, Jennifer
Cc: Deal, Timothy
Subject: DAPL Prep (pasted into email if needed)

ARA North Dakota Background / Talking Points – DAPL Issue:

Potential Questions/Answers:

Q: What about the Stafford Act for an Emergency or Major Declaration?
A: The Stafford Act is not an appropriate approach for this situation.

Q: Why isn't Stafford appropriate?
A: Here are the reasons:

- Stafford is not appropriate where another federal agency has specific authority to address a state need.
    - DOJ has specific authority to declare law enforcement emergencies.
- Stafford also is not appropriate to supplement lack of funding of another federal agency that has the authority to respond.
- Stafford Act has not been approved for recent incidents where states were seeking supplementary law enforcement assistance.

- June 2016 – Orlando mass shooting. Emergency declaration denied.
- June 2015 – Baltimore civil unrest. Emergency declaration denied.
- DOJ provided $1M in grant assistance for both events listed above.

Q: Wait, didn't FEMA give a declaration for the Boston Marathon bombing?
A: Yes, FEMA did. However, they provided support for response and security activities, not law enforcement investigations. Of note, DOJ provided assistance through the Emergency Federal Law Enforcement Assistance (EFLEA) grant. ($1.9M)

Q: Hey, what about the LA Riots? FEMA granted assistance.
A: An Emergency Declaration was granted to manage the response to fire hazards, not to manage the enforcement of law.

Q from the Governor: Even though you say that Stafford isn't appropriate, I can ask FEMA for an Emergency Declaration, right?
A: Governor, it is always your right to request assistance through FEMA to the President for a federal disaster declaration. However, this situation does not fit Stafford Act given that the need is for law enforcement.

Q: Can FEMA provide anything if you are saying a declaration is unlikely?
A: FEMA would be able to provide technical assistance with planning if the state sees that as a need.

For your background:

A Major Declaration is specific to natural catastrophe, fire and explosion.

An Emergency Declaration has a broader definition. However, it is still not appropriate based on the above points relating to other agencies' specific authorities and prior declaration precedent.

Emergency Federal Law Enforcement Assistance (EFLEA) grant:
https://www.ncjrs.gov/pdffiles/eflea.pdf

- Federal law enforcement assistance to a state overwhelmed by a law enforcement emergency
- Assistance provided can include "funds, equipment, training, intelligence information, [or] personnel.

Talk about the fact that you have been in touch with Grez Wilz to monitor the situation.

Stress you were in South Dakota supporting their recent disaster and decided to get some on the ground awareness.

Highly recommend that you attend on your own and that Nancy Casper and Jon Huss do not participate. We need to keep this as low-key as we possibly given the situation.

Go in normal dress, not FEMA gear.

Nancy E. Gist, Director
U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

The Emergency Federal Law Enforcement Assistance Program

The Federal Government administers a variety of assistance programs to provide a coordinated response to State and local governments stricken by natural dis- asters. During such extraordinary circumstances, when State or local agencies are incapable of unilaterally coping with the aftermath of a flood, hurricane, tornado, or other natural calamity, the Federal Government has come to their aid with a multiagency response.

Although the Federal Government has programs to assist State and local governments with natural disasters, until 1984 there was no coordinated Federal response for any other type of emergency. A number of events occurring in the late 1970's and early 1980's are examples of the types of unexpected law enforcement emergencies State and local agencies may face: the Atlanta child murders; the Los Angeles Night Stalker, San Francisco Zodiac, and Seattle Green River serial murder investigations; and the Mariel Cuban boatlift. Although the Federal Government's primary law enforcement role is to enforce Federal criminal statutes, it can play an ancillary role by assisting State and local governments with unexpected law enforcement emergencies that overwhelm their capacities to respond.

Program Scope and Purpose

On October 12, 1984, the Emergency Federal Law Enforcement Assistance (EFLEA) Program was enacted into law as part of the Justice Assistance Act of 1984 (Public Law 98–473) and is now administered by the Bureau of Justice Assistance (BJA), Office of Justice Programs, U.S. Department of Justice. Its function is to assist State and/or local units of government in responding to law enforcement emergencies through the provision of Federal law enforcement assistance. The EFLEA Program authorizes the Attorney General to provide funds, equipment, training, intelligence information, and personnel to help alleviate emergency situations. It also authorizes the Director of BJA to assist the Attorney General in providing EFLEA assistance and coordinating program activities.

Congress' intent in passing the EFLEA Program was to create an assistance program to address extraordinary circumstances that have the potential to create serious threats to public safety. Congress limited the number of eligible law enforcement emergencies by restricting applicability to situations in which State and local re- sources have been completely exhausted or are inadequate to deal with a law enforcement emergency. The legislative history of the Justice Assistance Act of 1984 indicates that Congress expected few emergencies to be dire enough to

require Federal involvement through EFLEA. The program was never intended to be a routine source of Federal financial assistance for criminal justice activities.
Section 609N(3) of the Justice Assistance Act clearly delineates the purpose of EFLEA and limits its applicability by defining a "law enforcement emergency" as:

> . . . an uncommon situation which requires law enforcement, which is or threatens to become of serious epidemic proportions, and with respect to which State and local resources are inadequate to protect the lives and property of citizens or to enforce the criminal law, except that such term **does not** [emphasis added] include the perceived need for
> planning or other activities related to crowd control
>
> for general public safety projects, or a situation requiring the enforcement of laws associated with scheduled public events, including political conventions and sports events.

The EFLEA Program serves a special purpose in alleviating damage resulting from a law enforcement emergency and providing financial support for actions taken to prevent further losses.

Eligibility for Program Assistance

If a law enforcement emergency exists throughout a State or in part of a State, the State may submit an application for itself or for units of local government to the U.S. Attorney General for EFLEA Program assis- tance. The application must meet certain criteria and be submitted in writing by the Governor in accordance with established EFLEA application guidelines, as described in the following sections.

Key Determining Factors

The Attorney General evaluates EFLEA Program applications based on the likelihood that the situation will escalate into a law enforcement emergency of epi- demic proportions, posing an imminent threat to public safety. The law enforcement emergency must be of sufficient magnitude to overwhelm the State or local government's ability to respond. Based on these criteria, the Attorney General approves or disapproves funding awards within 10 days after receiving the application.

Application Requirements

The Governor should submit a written application and signed transmittal letter that include the following elements:

- **Problem.** A description of the nature and extentof the law enforcement emergency, including the specific identification and description of the political and jurisdictional subdivision(s) where the emergency exists.
- **Resources.** A description of the State and local criminal justice resources available to address the emergency and an explanation of why and to what degree they are insufficient.
- **Required assistance.** A specific statement of the funds, equipment, training, intelligence information, and/or personnel requested and a description of their intended use.
- **Other assistance.** Information about any other assistance the State or appropriate unit of government has received or could receive under the provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.
- **Complete line-item budget.** A budget accompanied by a detailed narrative explaining all costs for which EFLEA funding is requested and showing how such costs were derived.

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Bureau of Justice Assistance 633 Indiana Avenue NW. Washington, DC 20531
202–616–2356

FS000034
September 1996

From: Greff, Stacie
Sent: 17 Feb 2017 17:33:10 +0000
To: Dombrowski, Justin
Subject: RE: DAPL Prep

Nope. See the other updates email from me.

Sent from my iFEMA mobile device.

From: Dombrowski, Justin
Sent: Friday, February 17, 2017 5:30:00 PM
To: Greff, Stacie
Subject: RE: DAPL Prep

Still has wrong detail for LA riots (DR vs EM)

Sent from my mobile device.

From: Greff, Stacie
Sent: Friday, February 17, 2017 9:03:50 AM
To: Dombrowski, Justin
Subject: FW: DAPL Prep

Actual docs since cleaner than being pasted in.

From: Greff, Stacie
Sent: Thursday, February 16, 2017 5:10 PM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: DAPL Prep

Nancy -- See the Attached Q/As, and background, along with the EFLEA pdf. Let us know if we can get you anything else!

Cell is best way to reach us or email. Thanks. Stacie

Stacie Greff
External Affairs Director
FEMA Region VIII

303.235.4774 (desk)
303.941.8668 (cell)
Stacie.Greff@fema.dhs.gov

From: Dragani, Nancy
Sent: 11 Feb 2017 16:11:19 -0500
To: Bibo, David
Cc: Dozor, Joshua;Deal, Timothy;Depalo, Lee;Greff, Stacie
Subject: RE: DAPL Protest (UNCLASSIFIED)

David

We can support with a planner and/or a liaison. For your awareness, late yesterday the state asked the R8 recovery director for the emergency dec template. He stressed that they were not intending to ask for a dec but of course, the fact that they asked seems to indicate that the potential for the ask is being considered.

I've copied our response director on this email so he has visibility on the potential ask for a planner and/or liaison. I've also copied EA as she has the Tribal program.

Regards

Nancy

Sent from my iFEMA mobile device.

From: Bibo, David
Sent: Saturday, February 11, 2017 11:17:48 AM
To: Dragani, Nancy
Cc: Dozor, Joshua; Deal, Timothy
Subject: RE: DAPL Protest (UNCLASSIFIED)

Nancy - please see emails below from ND TAG and the NSC Senior Director for Response. There's been some stir about ND potentially asking for a Stafford emergency declaration. We have concerns with that approach for a number of reasons.

What would be your thoughts about providing a Region VIII planner to a DOI- or USACE-led interagency team? We're trying to steer folks away from Stafford-based approaches, but at the same time if we have capabilities we think can help support the state in minimizing impacts from this ongoing challenge I want Josh to be prepared to offer them at Monday's meeting.

Regards,
Dave

Referred to Another Agency/Component

Page 0927

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Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

Page 0928

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

From: Depalo, Lee
Sent: 11 Feb 2017 17:00:54 -0500
To: Dragani, Nancy;Bibo, David
Cc: Dozor, Joshua;Deal, Timothy;Greff, Stacie
Subject: RE: DAPL Protest (UNCLASSIFIED)

Copy all Nancy, I will pass you some options after I touch base with them. Needs to be someone both savvy on the Stafford Act and the Interagency with sufficient experience to have a voice at the table in my opinion.

Lee

Lee dePalo

Response Division Director
FEMA Region VIII
Cell: 720-456-9616
Desk: 303-235-4990

Sent from my iFEMA mobile device.

From: Dragani, Nancy
Sent: Saturday, February 11, 2017 2:11:19 PM
To: Bibo, David
Cc: Dozor, Joshua; Deal, Timothy; Depalo, Lee; Greff, Stacie
Subject: RE: DAPL Protest (UNCLASSIFIED)

David

We can support with a planner and/or a liaison. For your awareness, late yesterday the state asked the R8 recovery director for the emergency dec template. He stressed that they were not intending to ask for a dec but of course, the fact that they asked seems to indicate that the potential for the ask is being considered.

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Regards

Nancy

Page 0930

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Page 0931

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of the Freedom of Information and Privacy Act

Page 0932

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

From: Bibo, David
Sent: 13 Feb 2017 12:12:12 -0500
To: Depalo, Lee;Dragani, Nancy
Cc: Dozor, Joshua;Deal, Timothy;Greff, Stacie;Sevier, Adrian
Subject: RE: DAPL Protest (UNCLASSIFIED)

Thank you.

Any further indications from the state about intent to request Stafford Act support? Don't want to prompt them at all but don't want to be caught off guard, either.

From: Depalo, Lee
Sent: Monday, February 13, 2017 11:38 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Bibo, David <David.Bibo@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

Mr. Bibo, we have the following two personnel on standby to support:

Kevin Moore, Response Ops Chief
Lamont Hudson, ND State LNO

We will deploy them as headquarters directs.

Lee

Lee dePalo

Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990

FEMA

From: Dragani, Nancy
Sent: Saturday, February 11, 2017 2:11 PM
To: Bibo, David <David.Bibo@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Depalo, Lee <lee.depalo@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
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Regards

Nancy

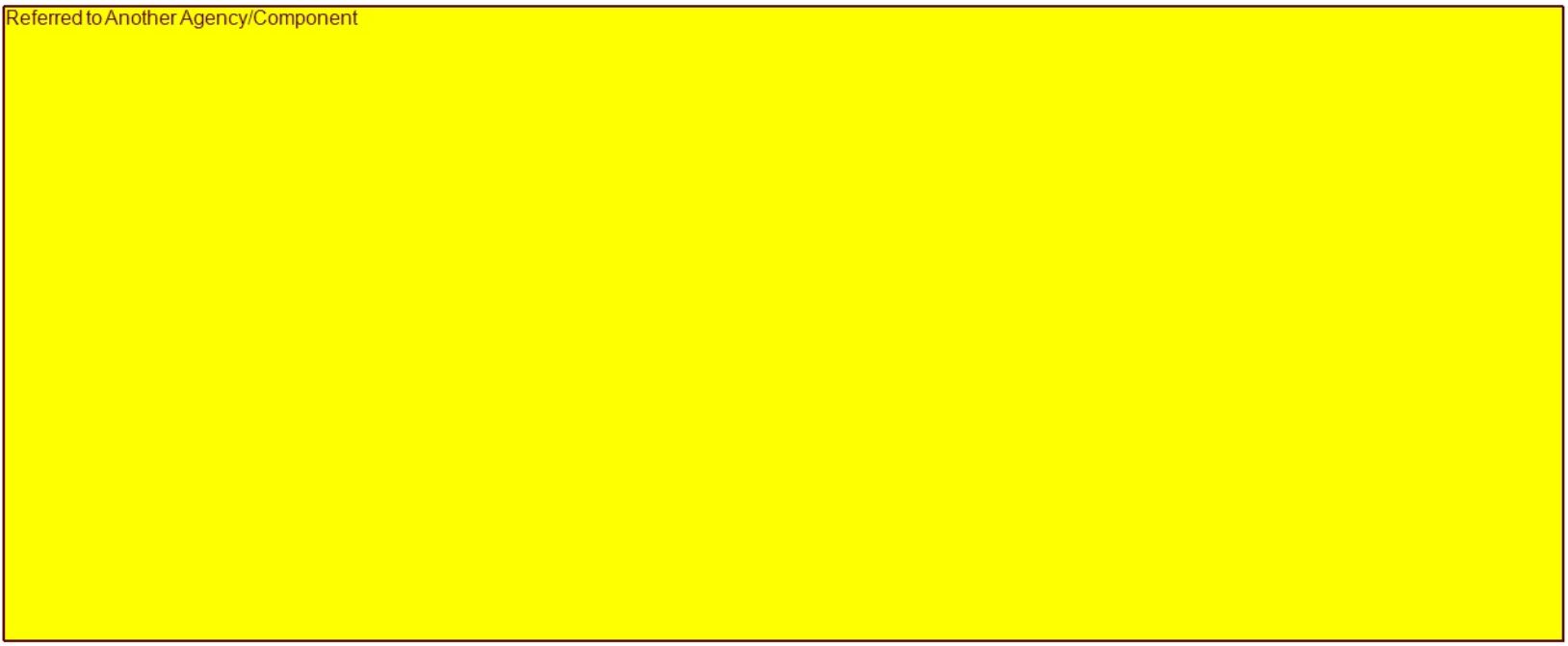
Sent from my iFEMA mobile device.

From: Bibo, David
Sent: Saturday, February 11, 2017 11:17:48 AM
To: Dragani, Nancy
Cc: Dozor, Joshua; Deal, Timothy
Subject: RE: DAPL Protest (UNCLASSIFIED)

Nancy - please see emails below from ND TAG and the NSC Senior Director for Response. There's been some stir about ND potentially asking for a Stafford emergency declaration. We have concerns with that approach for a number of reasons.

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Regards,
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Page 0935

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Page 0936

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From: Dombrowski, Justin
Sent: 13 Feb 2017 12:05:09 -0500
To: Greff, Stacie
Subject: RE: DAPL Protest (UNCLASSIFIED)

Yea, hope he didn't have to learn the hard-way…

From: Greff, Stacie
Sent: Monday, February 13, 2017 10:04 AM
To: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

He has learned already that it is in his best interest if we are!

I'm working on ARA stuff for SD stuff later this week.

From: Dombrowski, Justin
Sent: Monday, February 13, 2017 10:00 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

Thx ☺ Just had a quick catch up w/Tim and Katie on it…all good…Tim always feels that Legal and EA should be looped in, which Jen is

---

From: Greff, Stacie
Sent: Monday, February 13, 2017 9:42 AM
To: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: DAPL Protest (UNCLASSIFIED)

I'll ensure you are looped in this time!

From: Depalo, Lee
Sent: Monday, February 13, 2017 9:38 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Bibo, David <David.Bibo@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
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To: Bibo, David <David.Bibo@fema.dhs.gov>
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Nancy

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think can help support the state in minimizing impacts from this ongoing challenge I want Josh to be prepared to offer them at Monday's meeting.

Regards,
Dave

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Page 0940

Withheld pursuant to exemption

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From: Dombrowski, Justin
Sent: 14 Feb 2017 11:02:48 -0500
To: Depalo, Lee;Hudson, Lamont;Bush, Tom;Carroll, Thomas
Cc: Greff, Stacie
Subject: RE: ND...any buzz on possible emerg dec request?

Copy, thanks Lee, hope he stays in his lane, as some issues seem to be building from our OFAs vs the state.

From: Depalo, Lee
Sent: Tuesday, February 14, 2017 9:00 AM
To: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>; Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>; Bush, Tom <Tom.Bush@fema.dhs.gov>; Carroll, Thomas <Thomas.Carroll@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: ND...any buzz on possible emerg dec request?

We've already done that

Lee dePalo

Response Division Director
FEMA Region VIII
Cell: 720-456-9616
Desk: 303-235-4990

Sent from my iFEMA mobile device.

From: Dombrowski, Justin
Sent: Tuesday, February 14, 2017 8:49:07 AM
To: Hudson, Lamont; Bush, Tom; Carroll, Thomas
Cc: Greff, Stacie; Depalo, Lee
Subject: RE: ND...any buzz on possible emerg dec request?

Ok, thanks Lamont and nothing new from Tom B either.

Will be important that someone (Response?) circles back w/Alan before his trip to ensure he knows what can/cannot be said in reference to FEMA/Stafford Act/declarations, etc.

From: Hudson, Lamont
Sent: Tuesday, February 14, 2017 8:43 AM
To: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>; Bush, Tom <Tom.Bush@fema.dhs.gov>; Carroll, Thomas <Thomas.Carroll@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Depalo, Lee <lee.depalo@fema.dhs.gov>
Subject: RE: ND...any buzz on possible emerg dec request?

Hi Justin,

From Sean Johnson, North Dakota Lead Planner –

"If and when we submit any declaration request, we will follow channels through Region VIII to the President. So, your office will be among the first to know if such a decision is made."

So they have not submitted a declaration request. Alan Colon, ESF-13 Liaison and counterpart are scheduled to travel to North Dakota and meet with the State next week to discuss possible options in gaining support/assistance for the required resolution and clean-up of the Standing Rock DAPL Protest Camp. There will be more to follow after those meetings.

Respectfully,

Lamont Hudson

DHS/FEMA Region VIII - Logistics
Ordering Unit Lead
Denver Federal Center, Bldg. #20
Office: 303-235-4851
Cell: 303-842-4682
Fax: 303-233-2504

"Teamwork makes the DREAM work."

From: Dombrowski, Justin
Sent: Tuesday, February 14, 2017 8:01 AM
To: Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>; Bush, Tom <Tom.Bush@fema.dhs.gov>; Carroll, Thomas <Thomas.Carroll@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: ND...any buzz on possible emerg dec request?
Importance: High

I know on just the template request Fri but hq was asking if they submitted a request last nite, have you heard anthing? Thx, Justin

From: Dombrowski, Justin
Sent: 10 Feb 2017 18:13:18 -0500
To: Dragani, Nancy;Greff, Stacie
Subject: RE: Notes from DAPL call today

Thanks Nancy, looking at the notes, can see how Alan may have spun up the interest.

From: Dragani, Nancy
Sent: Friday, February 10, 2017 4:03 PM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: FW: Notes from DAPL call today

From: Depalo, Lee
Sent: Friday, February 10, 2017 12:31 PM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: FW: Notes from DAPL call today

Nancy, notes from the call that ESF-13 mentioned in today's SA meeting are attached.

Lee

Lee dePalo

Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990



Referred to Another Agency/Component

Page 0944

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

From: Dombrowski, Justin
Sent: 11 Feb 2017 21:22:05 -0500
To: Greff, Stacie
Subject: RE: Notes from DAPL call today

Interesting, ok thx

Sent from my mobile device.

From: Greff, Stacie
Sent: Saturday, February 11, 2017 4:03:24 PM
To: Dombrowski, Justin
Subject: RE: Notes from DAPL call today

Some traffic today on this with Hq. Looks like we may provide a planner to ofa. Monday we'll compare note.

Sent from my iFEMA mobile device.

From: Dombrowski, Justin
Sent: Saturday, February 11, 2017 12:12:44 AM
To: Greff, Stacie
Subject: FW: Notes from DAPL call today

Had a follow up w/Nancy and Jen, we can discuss on Monday...J

Sent from my mobile device.

From: Dragani, Nancy
Sent: Friday, February 10, 2017 3:03:15 PM
To: Greff, Stacie; Dombrowski, Justin
Subject: FW: Notes from DAPL call today

From: Depalo, Lee
Sent: Friday, February 10, 2017 12:31 PM

To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
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Lee dePalo

Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990



Referred to Another Agency/Component

From: Dombrowski, Justin
Sent: 17 Feb 2017 12:41:45 -0500
To: Greff, Stacie
Subject: RE: One change: DAPL Prep (pasted into email if needed)

Copy just wasn't sure if u wanted updated in the word document

Sent from my mobile device.

From: Greff, Stacie
Sent: Friday, February 17, 2017 9:39:33 AM
To: Dombrowski, Justin
Subject: One change: DAPL Prep (pasted into email if needed)

I corrected with Nancy last night.

From: Greff, Stacie
Sent: Friday, February 17, 2017 10:04 AM
To: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: FW: One change: DAPL Prep (pasted into email if needed)

From: Greff, Stacie
Sent: Thursday, February 16, 2017 11:25 PM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: One change: DAPL Prep (pasted into email if needed)

One clarification from points:

Riots were a DR (PA, IA, HMGP).
Boston bombing was an EM.

Sent from my iFEMA mobile device.

From: Dragani, Nancy
Sent: Friday, February 17, 2017 12:51:41 AM
To: Greff, Stacie; Dick, Jennifer
Cc: Deal, Timothy
Subject: RE: DAPL Prep (pasted into email if needed)

Thanks! I'll back brief when I get to the airport tomorrow night.

Sent from my iFEMA mobile device.

From: Greff, Stacie
Sent: Thursday, February 16, 2017 7:22:23 PM
To: Dragani, Nancy; Dick, Jennifer
Cc: Deal, Timothy
Subject: DAPL Prep (pasted into email if needed)

ARA North Dakota Background / Talking Points – DAPL Issue:

Potential Questions/Answers:

Q: What about the Stafford Act for an Emergency or Major Declaration?
A: The Stafford Act is not an appropriate approach for this situation.

Q: Why isn't Stafford appropriate?
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- Stafford also is not appropriate to supplement lack of funding of another federal agency that has the authority to respond.
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Q: Wait, didn't FEMA give a declaration for the Boston Marathon bombing?
A: Yes, FEMA did. However, they provided support for response and security activities, not law enforcement investigations. Of note, DOJ provided assistance through the Emergency Federal Law Enforcement Assistance (EFLEA) grant. ($1.9M)

Q: Hey, what about the LA Riots? FEMA granted assistance.
A: An Emergency Declaration was granted to manage the response to fire hazards, not to manage the enforcement of law.

Q from the Governor: Even though you say that Stafford isn't appropriate, I can ask FEMA for an Emergency Declaration, right?
A: Governor, it is always your right to request assistance through FEMA to the President for a federal disaster declaration. However, this situation does not fit Stafford Act given that the need is for law enforcement.

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For your background:

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https://www.ncjrs.gov/pdffiles/eflea.pdf

- Federal law enforcement assistance to a state overwhelmed by a law enforcement emergency
- Assistance provided can include "funds, equipment, training, intelligence information, [or] personnel.

Talk about the fact that you have been in touch with Grez Wilz to monitor the situation.

Stress you were in South Dakota supporting their recent disaster and decided to get some on the ground awareness.

Highly recommend that you attend on your own and that Nancy Casper and Jon Huss do not participate. We need to keep this as low-key as we possibly given the situation.

Go in normal dress, not FEMA gear.

Nancy E. Gist, Director
U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

The Emergency Federal Law Enforcement Assistance Program

The Federal Government administers a variety of

assistance programs to provide a coordinated response to State and local governments stricken by natural dis- asters. During such extraordinary circumstances, when State or local agencies are incapable of unilaterally coping with the aftermath of a flood, hurricane, tornado, or other natural calamity, the Federal Government has come to their aid with a multiagency response.
Although the Federal Government has programs to assist State and local governments with natural disasters, until 1984 there was no coordinated Federal response for any other type of emergency. A number of events occurring in the late 1970's and early 1980's are examples of the types of unexpected law enforcement emergencies State and local agencies may face: the Atlanta child murders; the Los Angeles Night Stalker, San Francisco Zodiac, and Seattle Green River serial murder investigations; and the Mariel Cuban boatlift. Although the Federal Government's primary law enforcement role is to enforce Federal criminal statutes, it can play an ancillary role by assisting State and local governments with unexpected law enforcement emergencies that overwhelm their capacities to respond.

Program Scope and Purpose

On October 12, 1984, the Emergency Federal Law Enforcement Assistance (EFLEA) Program was enacted into law as part of the Justice Assistance Act of 1984 (Public Law 98–473) and is now administered by the Bureau of Justice Assistance (BJA), Office of Justice Programs, U.S. Department of Justice. Its function is to assist State and/or local units of government in responding to law enforcement emergencies through the
provision of Federal law enforcement assistance. The
EFLEA Program authorizes the Attorney General to provide funds, equipment, training, intelligence information, and personnel to help alleviate emergency situations. It also authorizes the Director of BJA to assist the Attorney General in providing EFLEA assistance and coordinating program activities.
Congress' intent in passing the EFLEA Program was to create an assistance program to address extraordinary circumstances that have the potential to create serious threats to public safety. Congress limited the number of eligible law enforcement emergencies by restricting applicability to situations in which State and local re- sources have been completely exhausted or are inadequate to deal with a law enforcement emergency. The legislative history of the Justice Assistance Act of 1984 indicates that Congress expected few emergencies to be dire enough to require Federal involvement through EFLEA. The program was never intended to be a routine source of Federal financial assistance for criminal justice activities.
Section 609N(3) of the Justice Assistance Act clearly delineates the purpose of EFLEA and limits its applicability by defining a "law enforcement emergency" as:

> . . . an uncommon situation which requires law enforcement, which is or threatens to become of serious epidemic proportions, and with respect to which State and local resources are inadequate to protect the lives and property of citizens or to enforce the criminal law, except that such term **does not** [emphasis added] include the perceived need for
> planning or other activities related to crowd control
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> for general public safety projects, or a situation requiring the enforcement of laws associated with scheduled public events, including political conventions and sports events.

The EFLEA Program serves a special purpose in alleviating damage resulting from a law enforcement emergency and providing financial support for actions taken to prevent further losses.

Eligibility for Program Assistance

If a law enforcement emergency exists throughout a State or in part of a State, the State may submit an application for itself or for units of local government to the U.S. Attorney General for

EFLEA Program assis- tance. The application must meet certain criteria and be submitted in writing by the Governor in accordance with established EFLEA application guidelines, as described in the following sections.

Key Determining Factors

The Attorney General evaluates EFLEA Program applications based on the likelihood that the situation will escalate into a law enforcement emergency of epi- demic proportions, posing an imminent threat to public safety. The law enforcement emergency must be of sufficient magnitude to overwhelm the State or local government's ability to respond. Based on these criteria, the Attorney General approves or disapproves funding awards within 10 days after receiving the application.

Application Requirements

The Governor should submit a written application and signed transmittal letter that include the following elements:

- **Problem.** A description of the nature and extentof the law enforcement emergency, including the specific identification and description of the political and jurisdictional subdivision(s) where the emergency exists.
- **Resources.** A description of the State and local criminal justice resources available to address the emergency and an explanation of why and to what degree they are insufficient.
- **Required assistance.** A specific statement of the funds, equipment, training, intelligence information, and/or personnel requested and a description of their intended use.
- **Other assistance.** Information about any other assistance the State or appropriate unit of government has received or could receive under the provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.
- **Complete line-item budget.** A budget accompanied by a detailed narrative explaining all costs for which EFLEA funding is requested and showing how such costs were derived.
- **Signed and dated assurance statement.** A statement certifying compliance with applicable Federal statutes, regulations, policies, guidelines, and requirements.
- **Certificationstatements.** Statements concerning lobbying, debarment, suspension, drug-free workplace requirements, and other responsibility matters.
- **Disclosure of lobbyingactivities.** A description of any lobbying activities in which the applicant may be engaged, if the amount of the application exceeds $100,000.

Program Limitations

The EFLEA Program is not a grant program for normal and customary criminal justice expenditures; therefore, the following activities are not eligible for funding:

- **Land acquisition.** No funds are to be used to purchase or acquire land.
- **Supplantation.** No funds are to be used to sup- plant State or local funds that would otherwise be made available for such purposes.
- **Civil justice.** No funds or other assistance are to be used for civil justice matters, except to the extent that such matters relate directly and substantially to, or are inextricably intertwined with, criminal justice matters.
- **Use of Federal law enforcement personnel.** Federal law enforcement personnel may not be used to investigate violations of criminal law other than violations for which investigation is authorized by other pro- visions of law (Section 6090(a) of the Justice Assistance Act).

❑ **Direction, supervision, and control.** Neither the Attorney General nor the Federal law enforcement community may exercise any direction, supervision, or control over any applicant's police force or other criminal justice agency (Section 6090(b) of the Justice Assistance Act).

Examples of Recent Awards

EFLEA awards have been made for the following extraordinary law enforcement emergencies:

- **Suspicious deaths.** In June 1995, the State of Indiana requested funds to assist in investigating suspicious deaths in the intensive care unit of the Vermillion County Hospital in Clinton. The State was awarded $330,578 to support task force efforts in conducting a homicide investigation, exhuming dozens of bodies buried in cemeteries in several States, conducting autopsies and forensic analyses, and securing medical experts.

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For Further Information

Detailed information about the EFLEA Program may be found at Title 28, Code of Federal Regulations, Chapter 1, Part 65. The program is codified at Title 42, United States Code, Section 10501. An application kit with additional information is available from:

Emergency Federal Law Enforcement Assistance (EFLEA) Program
Bureau of Justice Assistance 633 Indiana Avenue NW. Washington, DC 20531
202–616–2356

FS000034
September 1996

MEETING ON THE DAKOTA ACCESS PIPELINE

Date: February 10, 2017
Time: 1:00 - 2:30 p.m.
Location: EEOB 350

SUMMARY OF CONCLUSIONS

Select departments and agencies met to discuss potential life and health risks posed by Spring-time floods to protest camps near the Dakota Access Pipeline drill site in North Dakota.

- The Departments of Justice (DOJ), Defense (DoD), and the Interior (DOI) will determine which Federal agency owns the land in the Canon Ball River floodplain, on which the protesters have established their camps, and which agency(ies) has authority to issue and enforce trespass notices. **(Action: DOJ, DoD, and DOI by February 13, 2017)**

- The Federal Emergency Management Agency (FEMA) will provide an assessment of whether the situation in North Dakota may merit a presidential emergency declaration under the Stafford Act. FEMA's assessment will include a description of past precedent that may be relevant to the current situation. **(Action: FEMA by February 13, 2017)**

- DOJ will provide an assessment from the U.S. Attorney for the District of North Dakota as to the additional law enforcement resources necessary to manage the situation in and around the protest camps. **(Action: DOJ by February 13, 2017)**

- The Department of Homeland Security (DHS) will provide an answer to the Governor of North Dakota's letter requesting DHS law enforcement assistance. **(Action: DHS by February 13, 2017)**

- DOJ and FEMA will assess whether and how, absent a Stafford Act declaration or external source of funding, the activation of Emergency Support Function (ESF) 13 could provide a Federal coordinating structure to enhance planning related to the situation in North Dakota. **(Action: DOJ and FEMA by February 13, 2017)**

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Talk about the fact that you have been in touch with Grez Wilz to monitor the situation.

Stress you were in South Dakota supporting their recent disaster and decided to get some on the ground awareness.

Highly recommend that you attend on your own and that Nancy Casper and Jon Huss do not participate. We need to keep this as low-key as we possibly given the situation.

Go in normal dress, not FEMA gear.

2/16/17

From: Greff, Stacie
Sent: 17 Feb 2017 00:22:20 +0000
To: Dragani, Nancy;Dick, Jennifer
Cc: Deal, Timothy
Subject: DAPL Prep (pasted into email if needed)
Attachments: ARA BACKGROUND AND TPS DAPL 2-16-17.docx, eflea.pdf

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FS000034
September 1996

ARA North Dakota Background / Talking Points – DAPL Issue:

Potential Questions/Answers:

Q: What about the Stafford Act for an Emergency or Major Declaration?
A: The Stafford Act is not an appropriate approach for this situation.

Q: Why isn't Stafford appropriate?
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Q: Wait, didn't FEMA give a declaration for the Boston Marathon bombing?
A: Yes, FEMA did. However, they provided support for response and security activities, not law enforcement investigations. Of note, DOJ provided assistance through the Emergency Federal Law Enforcement Assistance (EFLEA) grant. ($1.9M)

Q: Hey, what about the LA Riots? FEMA granted assistance.
A: An Emergency Declaration was granted to manage the response to fire hazards, not to manage the enforcement of law.

Q from the Governor: Even though you say that Stafford isn't appropriate, I can ask FEMA for an Emergency Declaration, right?
A: Governor, it is always your right to request assistance through FEMA to the President for a federal disaster declaration. However, this situation does not fit Stafford Act given that the need is for law enforcement.

Q: Can FEMA provide anything if you are saying a declaration is unlikely?
A: FEMA would be able to provide technical assistance with planning if the state sees that as a need.

For your background:

A Major Declaration is specific to natural catastrophe, fire and explosion.

An Emergency Declaration has a broader definition. However, it is still not appropriate based on the above points relating to other agencies' specific authorities and prior declaration precedent.

Emergency Federal Law Enforcement Assistance (EFLEA) grant:
https://www.ncjrs.gov/pdffiles/eflea.pdf

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Stress you were in South Dakota supporting their recent disaster and decided to get some on the ground awareness.

Highly recommend that you attend on your own and that Nancy Casper and Jon Huss do not participate. We need to keep this as low-key as we possibly given the situation.

Go in normal dress, not FEMA gear.

2/16/17

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

BJA Bureau of Justice Assistance
Fact Sheet

Nancy E. Gist, Director

The Emergency Federal Law Enforcement Assistance Program

The Federal Government administers a variety of assistance programs to provide a coordinated response to State and local governments stricken by natural disasters. During such extraordinary circumstances, when State or local agencies are incapable of unilaterally coping with the aftermath of a flood, hurricane, tornado, or other natural calamity, the Federal Government has come to their aid with a multiagency response.

Although the Federal Government has programs to assist State and local governments with natural disasters, until 1984 there was no coordinated Federal response for any other type of emergency. A number of events occurring in the late 1970's and early 1980's are examples of the types of unexpected law enforcement emergencies State and local agencies may face: the Atlanta child murders; the Los Angeles Night Stalker, San Francisco Zodiac, and Seattle Green River serial murder investigations; and the Mariel Cuban boatlift. Although the Federal Government's primary law enforcement role is to enforce Federal criminal statutes, it can play an ancillary role by assisting State and local governments with unexpected law enforcement emergencies that overwhelm their capacities to respond.

Program Scope and Purpose

On October 12, 1984, the Emergency Federal Law Enforcement Assistance (EFLEA) Program was enacted into law as part of the Justice Assistance Act of 1984 (Public Law 98–473) and is now administered by the Bureau of Justice Assistance (BJA), Office of Justice Programs, U.S. Department of Justice. Its function is to assist State and/or local units of government in responding to law enforcement emergencies through the provision of Federal law enforcement assistance. The EFLEA Program authorizes the Attorney General to provide funds, equipment, training, intelligence information, and personnel to help alleviate emergency situations. It also authorizes the Director of BJA to assist the Attorney General in providing EFLEA assistance and coordinating program activities.

Congress' intent in passing the EFLEA Program was to create an assistance program to address extraordinary circumstances that have the potential to create serious threats to public safety. Congress limited the number of eligible law enforcement emergencies by restricting applicability to situations in which State and local resources have been completely exhausted or are inadequate to deal with a law enforcement emergency. The legislative history of the Justice Assistance Act of 1984 indicates that Congress expected few emergencies to be dire enough to require Federal involvement through EFLEA. The program was never intended to be a routine source of Federal financial assistance for criminal justice activities.

Section 609N(3) of the Justice Assistance Act clearly delineates the purpose of EFLEA and limits its applicability by defining a "law enforcement emergency" as:

> . . . an uncommon situation which requires law enforcement, which is or threatens to become of serious epidemic proportions, and with respect to which State and local resources are inadequate to protect the lives and property of citizens or to enforce the criminal law, except that such term **does not** [emphasis added] include the perceived need for planning or other activities related to crowd control

for general public safety projects, or a situation requiring the enforcement of laws associated with scheduled public events, including political conventions and sports events.

The EFLEA Program serves a special purpose in alleviating damage resulting from a law enforcement emergency and providing financial support for actions taken to prevent further losses.

Eligibility for Program Assistance

If a law enforcement emergency exists throughout a State or in part of a State, the State may submit an application for itself or for units of local government to the U.S. Attorney General for EFLEA Program assistance. The application must meet certain criteria and be submitted in writing by the Governor in accordance with established EFLEA application guidelines, as described in the following sections.

Key Determining Factors

The Attorney General evaluates EFLEA Program applications based on the likelihood that the situation will escalate into a law enforcement emergency of epidemic proportions, posing an imminent threat to public safety. The law enforcement emergency must be of sufficient magnitude to overwhelm the State or local government's ability to respond. Based on these criteria, the Attorney General approves or disapproves funding awards within 10 days after receiving the application.

Application Requirements

The Governor should submit a written application and signed transmittal letter that include the following elements:

❑ **Problem.** A description of the nature and extent of the law enforcement emergency, including the specific identification and description of the political and jurisdictional subdivision(s) where the emergency exists.

❑ **Resources.** A description of the State and local criminal justice resources available to address the emergency and an explanation of why and to what degree they are insufficient.

❑ **Required assistance.** A specific statement of the funds, equipment, training, intelligence information, and/or personnel requested and a description of their intended use.

❑ **Other assistance.** Information about any other assistance the State or appropriate unit of government has received or could receive under the provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

❑ **Complete line-item budget.** A budget accompanied by a detailed narrative explaining all costs for which EFLEA funding is requested and showing how such costs were derived.

❑ **Signed and dated assurance statement.** A statement certifying compliance with applicable Federal statutes, regulations, policies, guidelines, and requirements.

❑ **Certification statements.** Statements concerning lobbying, debarment, suspension, drug-free workplace requirements, and other responsibility matters.

❑ **Disclosure of lobbying activities.** A description of any lobbying activities in which the applicant may be engaged, if the amount of the application exceeds $100,000.

Program Limitations

The EFLEA Program is not a grant program for normal and customary criminal justice expenditures; therefore, the following activities are not eligible for funding:

❑ **Land acquisition.** No funds are to be used to purchase or acquire land.

❑ **Supplantation.** No funds are to be used to supplant State or local funds that would otherwise be made available for such purposes.

❑ **Civil justice.** No funds or other assistance are to be used for civil justice matters, except to the extent that such matters relate directly and substantially to, or are inextricably intertwined with, criminal justice matters.

❑ **Use of Federal law enforcement personnel.** Federal law enforcement personnel may not be used to investigate violations of criminal law other than violations for which investigation is authorized by other provisions of law (Section 6090(a) of the Justice Assistance Act).

❑ **Direction, supervision, and control.** Neither the Attorney General nor the Federal law enforcement community may exercise any direction, supervision, or control over any applicant's police force or other criminal justice agency (Section 6090(b) of the Justice Assistance Act).

Examples of Recent Awards

EFLEA awards have been made for the following extraordinary law enforcement emergencies:

❑ **Suspicious deaths.** In June 1995, the State of Indiana requested funds to assist in investigating suspicious deaths in the intensive care unit of the Vermillion County Hospital in Clinton. The State was awarded $330,578 to support task force efforts in conducting a homicide investigation, exhuming dozens of bodies buried in cemeteries in several States, conducting autopsies and forensic analyses, and securing medical experts.

❑ **Rodney King/Reginald Denny cases.** In April 1993, the State of California requested funds for law enforcement overtime to amass a sufficiently large presence of State and local law enforcement officers to prevent civil disturbances. The State had incurred extraordinary overtime expenses during jury deliberations in the civil rights trial of police officers prosecuted for assaulting Rodney King and in the aftermath of the verdict convicting the assailants of truck driver Reginald Denny. The State was awarded $1 million.

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❑ **Gainesville Homicide Task Force.** In September 1990, the State of Florida requested emergency funding for its Gainesville Homicide Task Force. The task force was investigating five murders committed within 1 week by a serial killer. Florida received an initial and a supplemental award totaling $1.14 million for overtime, fringe benefit costs, travel, and for associated expenses such as aircraft operations, equipment rental, and office supplies.

❑ **San Francisco earthquake.** In December 1989, the State of California submitted an application requesting assistance for law enforcement's response to the San Francisco earthquake. An award of $4.96 million was approved for law enforcement overtime, replacement or repair of damaged equipment, and emergency repairs to critical law enforcement facilities.

❑ **Hurricane Hugo.** In October and December of 1989, the State of South Carolina submitted applications requesting assistance for law enforcement's response to Hurricane Hugo. Two awards totaling $2.7 million were approved for law enforcement overtime, replacement or repair of damaged equipment, and emergency repairs to critical law enforcement facilities.

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Detailed information about the EFLEA Program may be found at Title 28, Code of Federal Regulations, Chapter 1, Part 65. The program is codified at Title 42, United States Code, Section 10501. An application kit with additional information is available from:

Emergency Federal Law Enforcement Assistance (EFLEA) Program

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EFLEA Fact Sheet

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From: Greff, Stacie
Sent: 17 Feb 2017 00:09:39 +0000
To: Dragani, Nancy;Dick, Jennifer
Cc: Deal, Timothy
Subject: DAPL Prep
Attachments: ARA BACKGROUND AND TPS DAPL 2-16-17.docx, eflea.pdf

Nancy -- See the Attached Q/As, and background, along with the EFLEA pdf. Let us know if we can get you anything else!

Cell is best way to reach us or email. Thanks. Stacie

Stacie Greff
External Affairs Director
FEMA Region VIII
303.235.4774 (desk)
303.941.8668 (cell)
Stacie.Greff@fema.dhs.gov

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From: Greff, Stacie
Sent: 13 Feb 2017 16:42:08 +0000
To: Dombrowski, Justin
Subject: DAPL Protest (UNCLASSIFIED)

I'll ensure you are looped in this time!

From: Depalo, Lee
Sent: Monday, February 13, 2017 9:38 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Bibo, David <David.Bibo@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

Mr. Bibo, we have the following two personnel on standby to support:

Kevin Moore, Response Ops Chief
Lamont Hudson, ND State LNO

We will deploy them as headquarters directs.

Lee

Lee dePalo

Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990

FEMA

From: Dragani, Nancy
Sent: Saturday, February 11, 2017 2:11 PM
To: Bibo, David <David.Bibo@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Depalo, Lee <lee.depalo@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

David

We can support with a planner and/or a liaison. For your awareness, late yesterday the state asked the R8 recovery director for the emergency dec template. He stressed that they were not intending to ask for a dec but of course, the fact that they asked seems to indicate that the potential for the ask is being considered.

I've copied our response director on this email so he has visibility on the potential ask for a

planner and/or liaison. I've also copied EA as she has the Tribal program.

Regards

Nancy

Sent from my iFEMA mobile device.

From: Bibo, David
Sent: Saturday, February 11, 2017 11:17:48 AM
To: Dragani, Nancy
Cc: Dozor, Joshua; Deal, Timothy
Subject: RE: DAPL Protest (UNCLASSIFIED)

Nancy - please see emails below from ND TAG and the NSC Senior Director for Response. There's been some stir about ND potentially asking for a Stafford emergency declaration. We have concerns with that approach for a number of reasons.

What would be your thoughts about providing a Region VIII planner to a DOI- or USACE-led interagency team? We're trying to steer folks away from Stafford-based approaches, but at the same time if we have capabilities we think can help support the state in minimizing impacts from this ongoing challenge I want Josh to be prepared to offer them at Monday's meeting.

Regards,
Dave

Referred to Another Agency/Component

Page 0977

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

Page 0978

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From: Dick, Jennifer
Sent: 16 Feb 2017 15:21:42 -0500
To: Greff, Stacie
Subject: FW: DAPL Protest (UNCLASSIFIED)
Attachments: FEMA Assessment of EM Dec for the Dakota Access Pipeline (002).docx

fyi

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this message in error, please reply immediately to the sender and delete this message. Thank you.

From: Sevier, Adrian
Sent: Wednesday, February 15, 2017 11:22 AM
To: Allen, Jotham <Jotham.Allen@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Subject: FW: DAPL Protest (UNCLASSIFIED)

FYI.

From: Dragani, Nancy
Sent: Wednesday, February 15, 2017 10:49 AM
To: Bibo, David <David.Bibo@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

Dave,

Thanks. I'll look at this and reformat. I'll plan to reach back out to Greg with this information.

Thanks to you, Corey and Bob for taking a few extra minutes on the call to discuss this.

Regards, Nancy

From: Bibo, David
Sent: Wednesday, February 15, 2017 9:43 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>
Subject: FW: DAPL Protest (UNCLASSIFIED)

Nancy – here's the paper we discussed. Upon review, I think this provides good background and a sense of our reasons for believing Stafford Act is not the appropriate approach for this incident. But it's not suitable for sharing in this form. To support the outreach Mr. Fenton suggested you do with the state, recommend looking at the historical analysis section.

If needed, recommend reaching out to Adrian and Josh for additional insight on the specific DOJ programs and authorities we know to be available and more appropriate for this situation.

From: Dozor, Joshua
Sent: Monday, February 13, 2017 2:30 PM
To: Gautier, Peter W. EOP/NSC <(b)(6)@nsc.eop.gov>; (b)(6) USAF JS J5 (US <(b)(6)@mail.mil>; (b)(6)@mail.mil>; Thomas Lacrosse (b)(6)@mail.mil>; Humbert, Harry <(b)(6)@ios.doi.gov>; Branum, Lisa <(b)(6)@ios.doi.gov>; (b)(6)@HQ.DHS.GOV>; Bibo, David <David.Bibo@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>
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Subject: RE: DAPL Protest (UNCLASSIFIED)

Peter
Attached is our FEMA analysis of past EMs due today. It also includes excerpts from the National Response Framework on the availability and roles in activating an ESF for non-Stafford act events.

- Josh

Joshua C. Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
Cell (b)(6)
SPRNet: (b)(6)@dhs.sgov.gov

From: Dozor, Joshua
Sent: Monday, February 13, 2017 6:56 AM
To: Gautier, Peter W. EOP/NSC <(b)(6)@nsc.eop.gov>; (b)(6) USAF JS J5 (US <christopher.d.holmes2.mil@mail.mil>; (b)(6)@mail.mil>; Thomas Lacrosse (b)(6)@mail.mil>; Humbert, Harry (b)(6)@ios.doi.gov>; Branum, Lisa (b)(6)@ios.doi.gov>; (b)(6)@HQ.DHS.GOV>; Bibo, David <David.Bibo@fema.dhs.gov>
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Subject: RE: DAPL Protest (UNCLASSIFIED)

Peter
The NRCC is activated 24/7 for the California Orville Dam flooding event and all the FEMA attendees have operational roles on the NRCC. Can we get a call-in to participate?

I must mention to the group at this opportunity that this California incident is a perfect example of when federal emergency response assistance is warranted for a potential dam breach situation. We are watching several other dams at-risk across the mid-west as well that we need to have capabilities on hand to support if needed. The North Dakota incident - while it could foreseeably

require such emergency assistance in the future - is not at the point where Stafford Act assistance is required to support the State.

In the California situation, unlike in North Dakota at this time, the Governor declared a state of Emergency and their EOC is at full activation. The State has deployed its incident management team, its swift water SAR teams, and is supporting evacuations of about 192,000 people. As of this morning, shelters are open with 350 occupants and the State has indicated a need for logistics commodities.

- josh

Joshua C. Dozor
Director, Planning and Exercises
FEMA Response Directorate
Cell: 202-631-6877

Referred to Another Agency/Component

Referred to Another Agency/Component

Page 0982

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

FEMA Assessment of Emergency Declaration and Comparisons to the North Dakota Access Pipeline Drill Site

February 13, 2017

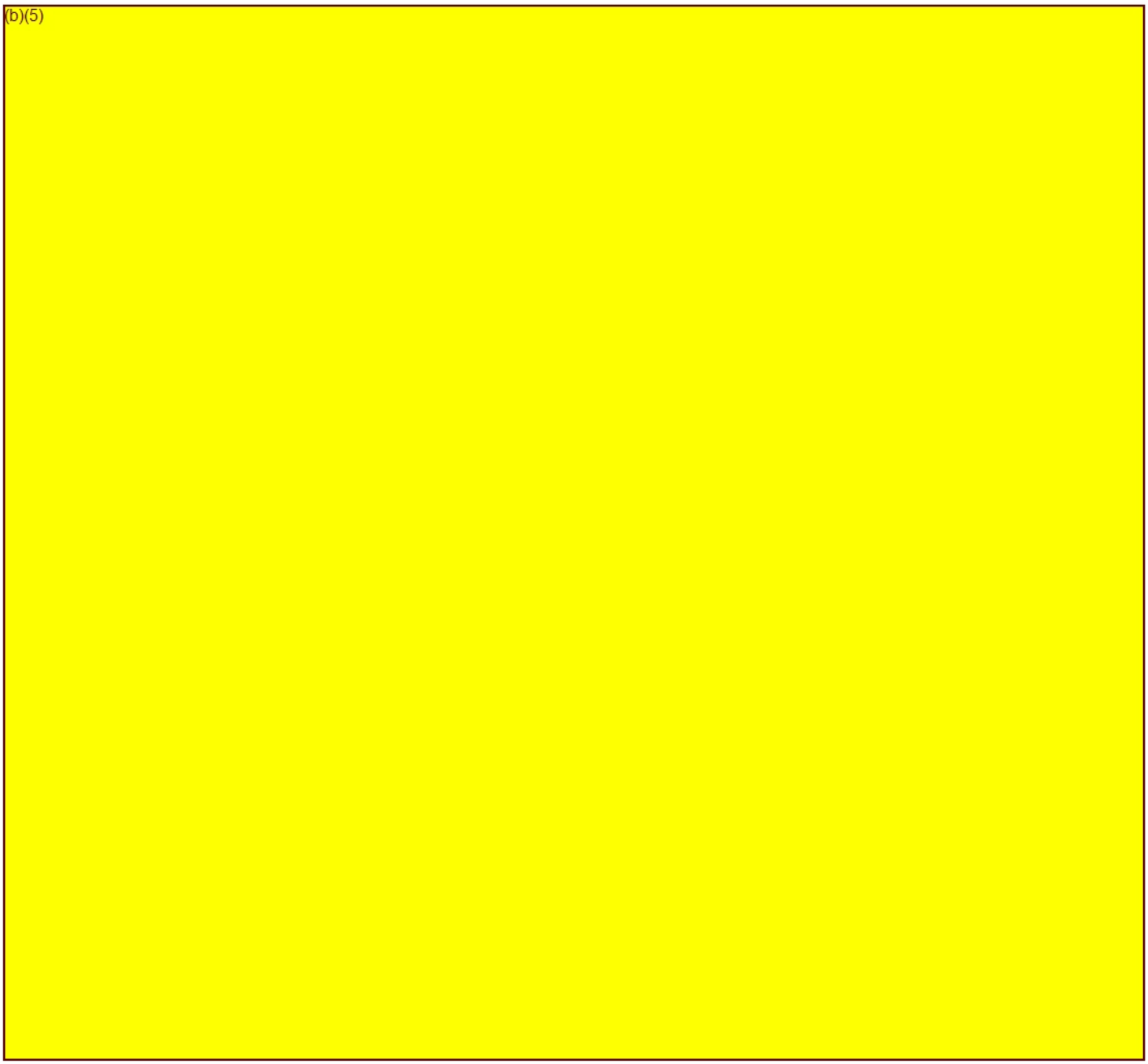
(b)(5)

(b)(5)

(b)(5)

Applicability of Emergency Support Functions during Non-Stafford Act Events

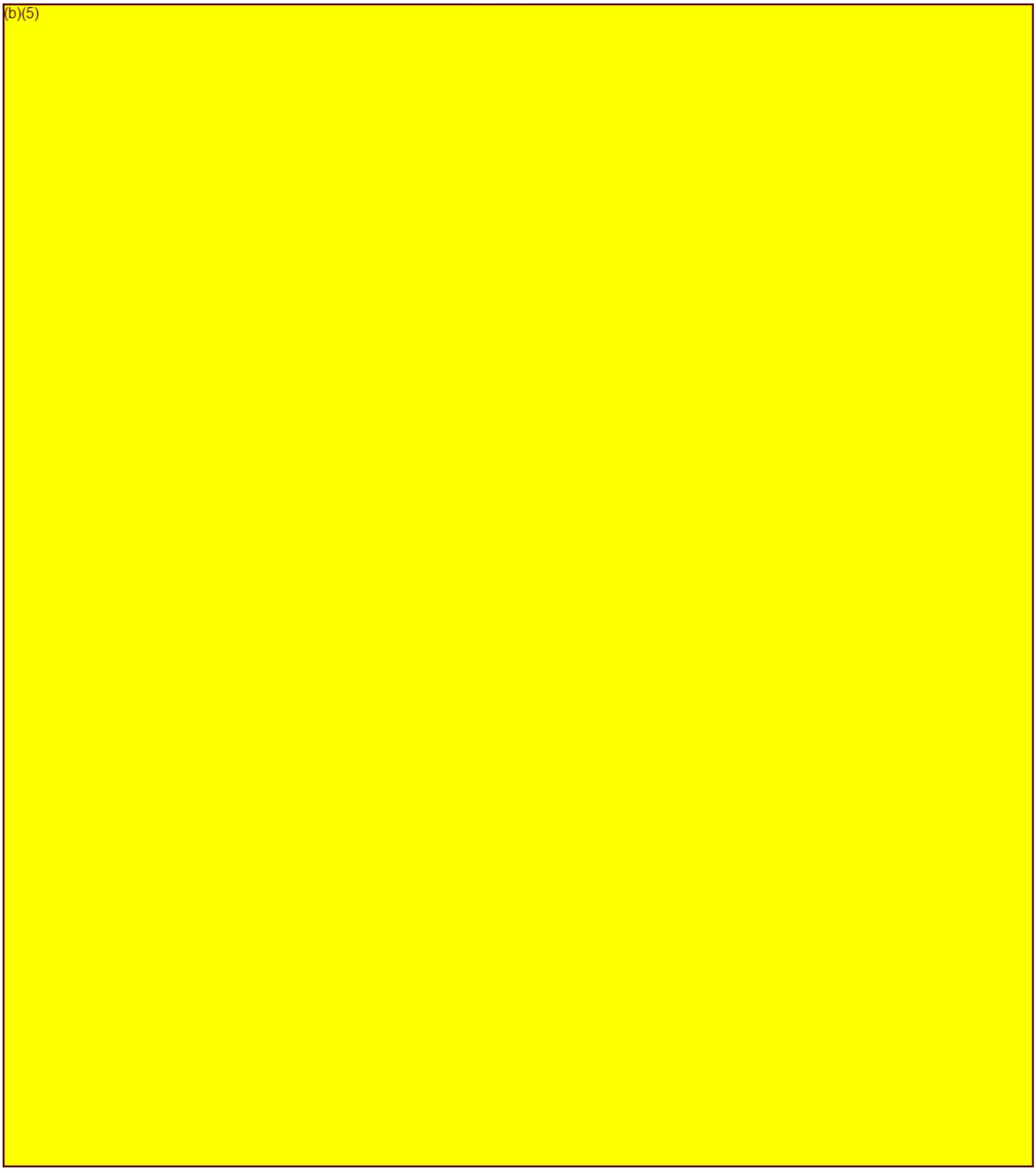
(b)(5)



FEMA Assessment of Emergency Declaration and Comparisons to the North Dakota Access Pipeline Drill Site

February 13, 2017

(b)(5)

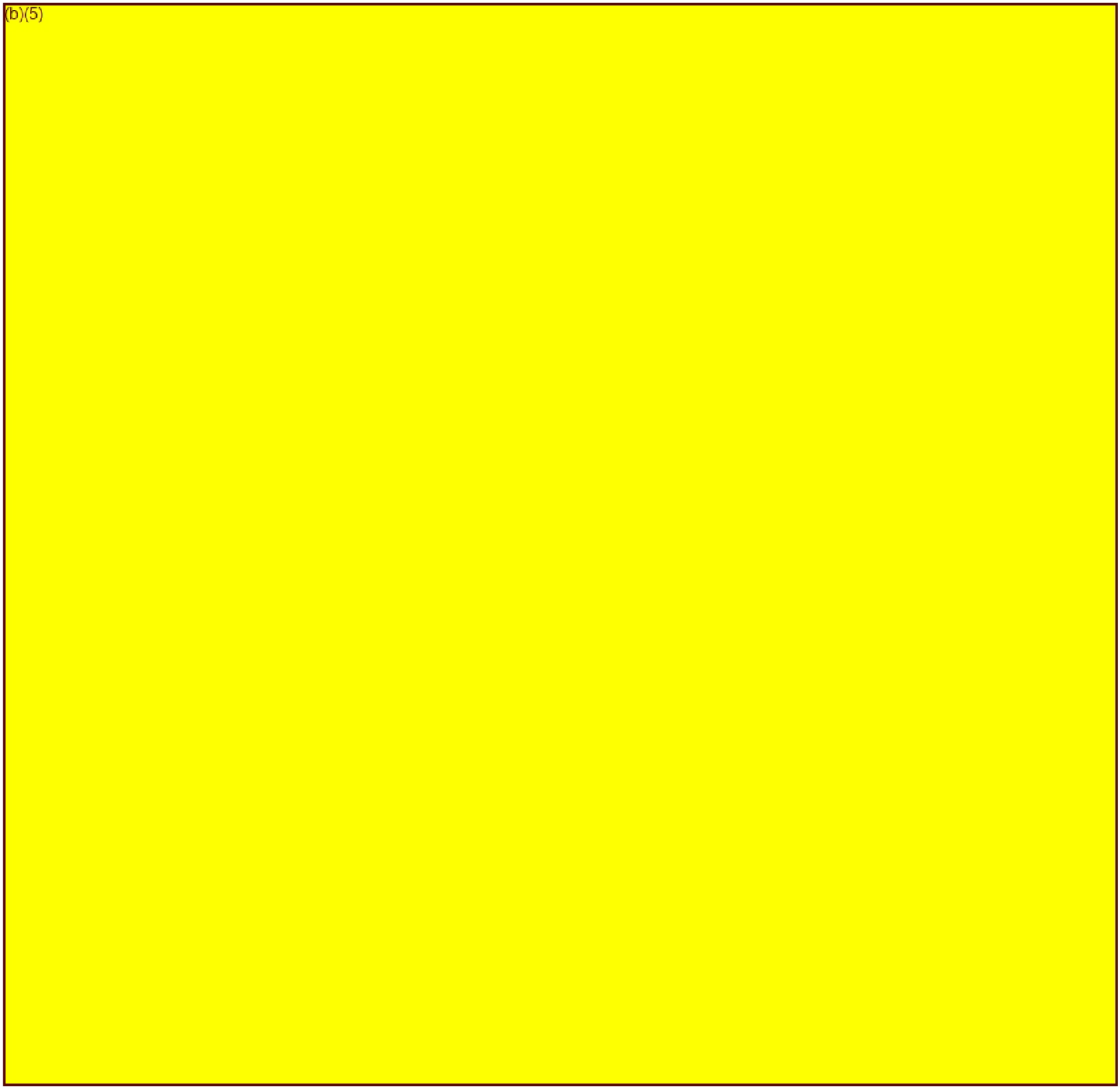


(b)(5)

(b)(5)

Applicability of Emergency Support Functions during Non-Stafford Act Events

(b)(5)



From: Dombrowski, Justin
Sent: 13 Feb 2017 10:09:40 -0500
To: Dragani, Nancy;Deal, Timothy;Greff, Stacie;Dick, Jennifer;Appenrodt, Kathleen
Cc: Floyd, Megan
Subject: FW: DAPL Follow Up
Attachments: SOC_Dakota Access_2.10.2017_Final.pdf
Importance: High

Nancy, Tim, Team,
Note there are some actions for FEMA (HQ?) that came out of a meeting in DC on Fri. I don't have any additional details yet.

Pulled from attachment directly (5 total key items – 2 direct w/FEMA):

- The Federal Emergency Management Agency (FEMA) will provide an assessment of whether the situation in North Dakota may merit a presidential emergency declaration under the Stafford Act. FEMA's assessment will include a description of past precedent that may be relevant to the current situation. (Action: FEMA by February 13, 2017)

- DOJ and FEMA will assess whether and how, absent a Stafford Act declaration or external source of funding, the activation of Emergency Support Function (ESF) 13 could provide a Federal coordinating structure to enhance planning related to the situation in North Dakota. (Action: DOJ and FEMA by February 13, 2017)

Referred to Another Agency/Component

Page 0992

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

MEETING ON THE DAKOTA ACCESS PIPELINE

Date: February 10, 2017
Time: 1:00 - 2:30 p.m.
Location: EEOB 350

SUMMARY OF CONCLUSIONS

Select departments and agencies met to discuss potential life and health risks posed by Spring-time floods to protest camps near the Dakota Access Pipeline drill site in North Dakota.

- The Departments of Justice (DOJ), Defense (DoD), and the Interior (DOI) will determine which Federal agency owns the land in the Canon Ball River floodplain, on which the protesters have established their camps, and which agency(ies) has authority to issue and enforce trespass notices. **(Action: DOJ, DoD, and DOI by February 13, 2017)**

- The Federal Emergency Management Agency (FEMA) will provide an assessment of whether the situation in North Dakota may merit a presidential emergency declaration under the Stafford Act. FEMA's assessment will include a description of past precedent that may be relevant to the current situation. **(Action: FEMA by February 13, 2017)**

- DOJ will provide an assessment from the U.S. Attorney for the District of North Dakota as to the additional law enforcement resources necessary to manage the situation in and around the protest camps. **(Action: DOJ by February 13, 2017)**

- The Department of Homeland Security (DHS) will provide an answer to the Governor of North Dakota's letter requesting DHS law enforcement assistance. **(Action: DHS by February 13, 2017)**

- DOJ and FEMA will assess whether and how, absent a Stafford Act declaration or external source of funding, the activation of Emergency Support Function (ESF) 13 could provide a Federal coordinating structure to enhance planning related to the situation in North Dakota. **(Action: DOJ and FEMA by February 13, 2017)**

From: Greff, Stacie
Sent: 17 Feb 2017 17:02:15 +0000
To: Dombrowski, Justin
Subject: FW: DAPL Prep (pasted into email if needed)

From: Dragani, Nancy
Sent: Thursday, February 16, 2017 5:52 PM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: RE: DAPL Prep (pasted into email if needed)

Thanks! I'll back brief when I get to the airport tomorrow night.

Sent from my iFEMA mobile device.

From: Greff, Stacie
Sent: Thursday, February 16, 2017 7:22:23 PM
To: Dragani, Nancy; Dick, Jennifer
Cc: Deal, Timothy
Subject: DAPL Prep (pasted into email if needed)

ARA North Dakota Background / Talking Points – DAPL Issue:

Potential Questions/Answers:

Q: What about the Stafford Act for an Emergency or Major Declaration?
A: The Stafford Act is not an appropriate approach for this situation.

Q: Why isn't Stafford appropriate?
A: Here are the reasons:

- Stafford is not appropriate where another federal agency has specific authority to address a state need.
    - DOJ has specific authority to declare law enforcement emergencies.
- Stafford also is not appropriate to supplement lack of funding of another federal agency that has the authority to respond.
- Stafford Act has not been approved for recent incidents where states were seeking supplementary law enforcement assistance.
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    - June 2015 – Baltimore civil unrest. Emergency declaration denied.
    - DOJ provided $1M in grant assistance for both events listed above.

Q: Wait, didn't FEMA give a declaration for the Boston Marathon bombing?
A: Yes, FEMA did. However, they provided support for response and security activities, not law enforcement investigations. Of note, DOJ provided assistance through the Emergency Federal Law Enforcement Assistance (EFLEA) grant. ($1.9M)

Q: Hey, what about the LA Riots? FEMA granted assistance.
A: An Emergency Declaration was granted to manage the response to fire hazards, not to manage the enforcement of law.

Q from the Governor: Even though you say that Stafford isn't appropriate, I can ask FEMA for an Emergency Declaration, right?
A: Governor, it is always your right to request assistance through FEMA to the President for a federal disaster declaration. However, this situation does not fit Stafford Act given that the need is for law enforcement.

Q: Can FEMA provide anything if you are saying a declaration is unlikely?
A: FEMA would be able to provide technical assistance with planning if the state sees that as a need.

For your background:

A Major Declaration is specific to natural catastrophe, fire and explosion.

An Emergency Declaration has a broader definition. However, it is still not appropriate based on the above points relating to other agencies' specific authorities and prior declaration precedent.

Emergency Federal Law Enforcement Assistance (EFLEA) grant:
https://www.ncjrs.gov/pdffiles/eflea.pdf

- Federal law enforcement assistance to a state overwhelmed by a law enforcement emergency
- Assistance provided can include "funds, equipment, training, intelligence information, [or] personnel.

Talk about the fact that you have been in touch with Grez Wilz to monitor the situation.

Stress you were in South Dakota supporting their recent disaster and decided to get some on the ground awareness.

Highly recommend that you attend on your own and that Nancy Casper and Jon Huss do not participate. We need to keep this as low-key as we possibly given the situation.

Go in normal dress, not FEMA gear.

Nancy E. Gist, Director
U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

The Emergency Federal Law Enforcement Assistance Program

The Federal Government administers a variety of assistance programs to provide a coordinated response to State and local governments stricken by natural dis- asters. During such extraordinary circumstances, when State or local agencies are incapable of unilaterally coping with the aftermath of a flood, hurricane, tornado, or other natural calamity, the Federal Government has come to their aid with a multiagency response.

Although the Federal Government has programs to assist State and local governments with natural disasters, until 1984 there was no coordinated Federal response for any other type of emergency. A number of events occurring in the late 1970's and early 1980's are examples of the types of unexpected law enforcement emergencies State and local agencies may face: the Atlanta child murders; the Los Angeles Night Stalker, San Francisco Zodiac, and Seattle Green River serial murder investigations; and the Mariel Cuban boatlift. Although the Federal Government's primary law enforcement role is to enforce Federal criminal statutes, it can play an ancillary role by assisting State and local governments with unexpected law enforcement emergencies that overwhelm their capacities to respond.

Program Scope and Purpose

On October 12, 1984, the Emergency Federal Law Enforcement Assistance (EFLEA) Program was enacted into law as part of the Justice Assistance Act of 1984 (Public Law 98–473) and is now administered by the Bureau of Justice Assistance (BJA), Office of Justice Programs, U.S. Department of Justice. Its function is to assist State and/or local units of government in responding to law enforcement emergencies through the provision of Federal law enforcement assistance. The EFLEA Program authorizes the Attorney General to provide funds, equipment, training, intelligence information, and personnel to help alleviate emergency situations. It also authorizes the Director of BJA to assist the Attorney General in providing EFLEA assistance and coordinating program activities.

Congress' intent in passing the EFLEA Program was to create an assistance program to address extraordinary circumstances that have the potential to create serious threats to public safety. Congress limited the number of eligible law enforcement emergencies by restricting applicability to situations in which State and local re- sources have been completely exhausted or are inadequate to deal with a law enforcement emergency. The legislative history of the Justice Assistance Act of 1984 indicates that Congress expected few emergencies to be dire enough to require Federal involvement through EFLEA. The program was never intended to be a routine source of Federal financial assistance for criminal justice activities.

Section 609N(3) of the Justice Assistance Act clearly delineates the purpose of EFLEA and limits its applicability by defining a "law enforcement emergency" as:

> . . . an uncommon situation which requires law enforcement, which is or threatens to become of serious epidemic proportions, and with respect to which State and local resources are inadequate to protect the lives and property of citizens or to enforce the criminal law, except that such term **does not** [emphasis added] include the perceived need for planning or other activities related to crowd control

for general public safety projects, or a situation requiring the enforcement of laws associated with scheduled public events, including political conventions and sports events.

The EFLEA Program serves a special purpose in alleviating damage resulting from a law enforcement emergency and providing financial support for actions taken to prevent further losses.

Eligibility for Program Assistance

If a law enforcement emergency exists throughout a State or in part of a State, the State may submit an application for itself or for units of local government to the U.S. Attorney General for EFLEA Program assis- tance. The application must meet certain criteria and be submitted in writing by the Governor in accordance with established EFLEA application guidelines, as de- scribed in the following sections.

Key Determining Factors

The Attorney General evaluates EFLEA Program applications based on the likelihood that the situation will escalate into a law enforcement emergency of epi- demic proportions, posing an imminent threat to public safety. The law enforcement emergency must be of sufficient magnitude to overwhelm the State or local government's ability to respond. Based on these criteria, the Attorney General approves or disapproves funding awards within 10 days after receiving the application.

Application Requirements

The Governor should submit a written application and signed transmittal letter that include the following elements:

- **Problem.** A description of the nature and extent of the law enforcement emergency, including the specific identification and description of the political and jurisdictional subdivision(s) where the emergency exists.
- **Resources.** A description of the State and local criminal justice resources available to address the emergency and an explanation of why and to what degree they are insufficient.
- **Required assistance.** A specific statement of the funds, equipment, training, intelligence information, and/or personnel requested and a description of their intended use.
- **Other assistance.** Information about any other assistance the State or appropriate unit of government has received or could receive under the provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.
- **Complete line-item budget.** A budget accompanied by a detailed narrative explaining all costs for which EFLEA funding is requested and showing how such costs were derived.
- **Signed and dated assurance statement.** A statement certifying compliance with applicable Federal statutes, regulations, policies, guidelines, and requirements.
- **Certification statements.** Statements concerning lobbying, debarment, suspension, drug-free workplace requirements, and other responsibility matters.
- **Disclosure of lobbying activities.** A description of any lobbying activities in which the applicant may be engaged, if the amount of the application exceeds $100,000.

Program Limitations

The EFLEA Program is not a grant program for normal and customary criminal justice expenditures; therefore, the following activities are not eligible for funding:

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- **Civil justice.** No funds or other assistance are to be used for civil justice matters, except to the extent that such matters relate directly and substantially to, or are inextricably intertwined with, criminal justice matters.
- **Use of Federal law enforcement personnel.** Federal law enforcement personnel may not be used to investigate violations of criminal law other than violations for which investigation is authorized by other pro- visions of law (Section 6090(a) of the Justice Assistance Act).
- **Direction, supervision, and control.** Neither the Attorney General nor the Federal law enforcement community may exercise any direction, supervision, or control over any applicant's police force or other criminal justice agency (Section 6090(b) of the Justice Assistance Act).

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EFLEA awards have been made for the following extraordinary law enforcement emergencies:

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$330,578 to support task force efforts in conducting a homicide investigation, exhuming dozens of bodies buried in cemeteries in several States, conducting autopsies and forensic analyses, and securing medical experts.

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Bureau of Justice Assistance 633 Indiana Avenue NW. Washington, DC 20531
202–616–2356

FS000034
September 1996

From: Greff, Stacie
Sent: 17 Feb 2017 17:03:49 +0000
To: Dombrowski, Justin
Subject: FW: DAPL Prep
Attachments: ARA BACKGROUND AND TPS DAPL 2-16-17.docx, eflea.pdf

Actual docs since cleaner than being pasted in.

From: Greff, Stacie
Sent: Thursday, February 16, 2017 5:10 PM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: DAPL Prep

Nancy -- See the Attached Q/As, and background, along with the EFLEA pdf. Let us know if we can get you anything else!

Cell is best way to reach us or email. Thanks. Stacie

Stacie Greff
External Affairs Director
FEMA Region VIII
303.235.4774 (desk)
303.941.8668 (cell)
Stacie.Greff@fema.dhs.gov

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2/16/17

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

BJA Bureau of Justice Assistance
Fact Sheet

Nancy E. Gist, Director

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Emergency Federal Law Enforcement Assistance (EFLEA) Program

Bureau of Justice Assistance
633 Indiana Avenue NW.
Washington, DC 20531
202–616–2356

FS000034
September 1996

EFLEA Fact Sheet

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Washington, DC 20531

Official Business
Penalty for Private Use $300

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Permit No. G–91

BJA World Wide Web Address

For a copy of this document online, as well as more information on BJA, check the BJA home page at http://www.ojp.usdoj.gov/BJA

From: Dick, Jennifer
Sent: 15 Feb 2017 14:06:40 -0500
To: Greff, Stacie
Subject: FW: DAPL Protest (UNCLASSIFIED)

fyi

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this message in error, please reply immediately to the sender and delete this message. Thank you.

From: Dick, Jennifer
Sent: Wednesday, February 15, 2017 11:54 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: FW: DAPL Protest (UNCLASSIFIED)
Importance: High

Hi Nancy-

Below is a link to information on the Emergency Federal Law Enforcement Assistance Program (EFLEA). The program authorizes the US Attorney General to provide "federal law enforcement assistance" to a state overwhelmed by a "law enforcement emergency"—meaning an uncommon situation that requires law enforcement, which is or threatens to become a serious or epidemic proportions, and with respect to which state and local resources are inadequate to protect the lives and property of citizens or to enforce the criminal law. The assistance provided can include "funds, equipment, training, intelligence information, [or] personnel."

https://www.ncjrs.gov/pdffiles/eflea.pdf

The informational fact sheet notes that although the Federal government has programs to assist States and local governments with natural disasters, until 1984 there was no coordinated Federal response for any other type of emergency. It references a number of unexpected law enforcement emergencies. The fact sheet also discusses application process, as well as examples of recent EFLEA awards.

This may assist in your dialogue with Greg.

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

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From: Sevier, Adrian
Sent: Wednesday, February 15, 2017 11:22 AM
To: Allen, Jotham <Jotham.Allen@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Subject: FW: DAPL Protest (UNCLASSIFIED)

FYI.

From: Dragani, Nancy
Sent: Wednesday, February 15, 2017 10:49 AM
To: Bibo, David <David.Bibo@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

Dave,

Thanks. I'll look at this and reformat. I'll plan to reach back out to Greg with this information.

Thanks to you, Corey and Bob for taking a few extra minutes on the call to discuss this.

Regards, Nancy

From: Bibo, David
Sent: Wednesday, February 15, 2017 9:43 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>
Subject: FW: DAPL Protest (UNCLASSIFIED)

Nancy – here's the paper we discussed. Upon review, I think this provides good background and a sense of our reasons for believing Stafford Act is not the appropriate approach for this incident. But it's not suitable for sharing in this form. To support the outreach Mr. Fenton suggested you do with the state, recommend looking at the historical analysis section.

If needed, recommend reaching out to Adrian and Josh for additional insight on the specific DOJ programs and authorities we know to be available and more appropriate for this situation.

From: Dozor, Joshua
Sent: Monday, February 13, 2017 2:30 PM
To: Gautier, Peter W. EOP/NSC <(b)(6)@nsc.eop.gov>; (b)(6) USAF JS J5 (US <(b)(6)@mail.mil>; (b)(6)@mail.mil>; Thomas Lacrosse <(b)(6)@mail.mil>; Humbert, Harry (b)(6)@ios.doi.gov>; Branum, Lisa (b)(6)@ios.doi.gov>; (b)(6)@HQ.DHS.GOV>; Bibo, David <David.Bibo@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>
Cc: Cramer, Drew W. EOP/NSC <(b)(6)@nsc.eop.gov>; (b)(6) EOP/NSC <(b)(6)@nsc.eop.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

Peter
Attached is our FEMA analysis of past EMs due today. It also includes excerpts from the National Response Framework on the availability and roles in activating an ESF for non-Stafford act events.

- Josh

Joshua C. Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
Cell: (b)(6)
SPRNet: (b)(6) @dhs.sgov.gov

From: Dozor, Joshua
Sent: Monday, February 13, 2017 6:56 AM
To: Gautier, Peter W. EOP/NSC (b)(6) @nsc.eop.gov>; (b)(6) USAF JS J5 (US (b)(6) @mail.mil>; (b)(6) @mail.mil>; Thomas Lacrosse (b)(6) @mail.mil>; Humbert, Harry (b)(6) @ios.doi.gov>; Branum, Lisa (b)(6) @ios.doi.gov>; (b)(6) @HQ.DHS.GOV>; Bibo, David <David.Bibo@fema.dhs.gov>
Cc: Cramer, Drew W. EOP/NSC (b)(6) @nsc.eop.gov>; (b)(6) . EOP/NSC (b)(6) @nsc.eop.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

Peter
The NRCC is activated 24/7 for the California Orville Dam flooding event and all the FEMA attendees have operational roles on the NRCC. Can we get a call-in to participate?

I must mention to the group at this opportunity that this California incident is a perfect example of when federal emergency response assistance is warranted for a potential dam breach situation. We are watching several other dams at-risk across the mid-west as well that we need to have capabilities on hand to support if needed. The North Dakota incident - while it could foreseeably require such emergency assistance in the future - is not at the point where Stafford Act assistance is required to support the State.

In the California situation, unlike in North Dakota at this time, the Governor declared a state of Emergency and their EOC is at full activation. The State has deployed its incident management team, its swift water SAR teams, and is supporting evacuations of about 192,000 people. As of this morning, shelters are open with 350 occupants and the State has indicated a need for logistics commodities.

- josh

Joshua C. Dozor

Director, Planning and Exercises
FEMA Response Directorate
Cell: 202-631-6877

Referred to Another Agency/Component

Referred to Another Agency/Component

Page 1011

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

From: Dick, Jennifer
Sent: 16 Feb 2017 20:18:10 -0500
To: Greff, Stacie
Subject: RE: DAPL Prep (pasted into email if needed)

It was a DR for riots--included PA, HMGP and IA. For Boston was an EM. Probably just easier to refer to "declaration" so need not have to distinguish.

Always thankful you are here--together we can figure anything out.

Jennifer Dick
Regional Counsel
(303) 563-9230

From: Greff, Stacie
Sent: Thursday, February 16, 2017 8:11:19 PM
To: Dick, Jennifer
Subject: RE: DAPL Prep (pasted into email if needed)

Jen - was just rereading. Was an em granted or a major for riots? Was thinking it was a major for some reason. Thanks again for the teamwork. She is better off... we will see what happens

Sent from my iFEMA mobile device.

From: Dragani, Nancy
Sent: Friday, February 17, 2017 12:51:41 AM
To: Greff, Stacie; Dick, Jennifer
Cc: Deal, Timothy
Subject: RE: DAPL Prep (pasted into email if needed)

Thanks! I'll back brief when I get to the airport tomorrow night.

Sent from my iFEMA mobile device.

From: Greff, Stacie
Sent: Thursday, February 16, 2017 7:22:23 PM
To: Dragani, Nancy; Dick, Jennifer
Cc: Deal, Timothy
Subject: DAPL Prep (pasted into email if needed)

ARA North Dakota Background / Talking Points – DAPL Issue:

Potential Questions/Answers:

Q: What about the Stafford Act for an Emergency or Major Declaration?
A: The Stafford Act is not an appropriate approach for this situation.

Q: Why isn't Stafford appropriate?
A: Here are the reasons:

- Stafford is not appropriate where another federal agency has specific authority to address a state need.
    - DOJ has specific authority to declare law enforcement emergencies.
- Stafford also is not appropriate to supplement lack of funding of another federal agency that has the authority to respond.
- Stafford Act has not been approved for recent incidents where states were seeking supplementary law enforcement assistance.
    - June 2016 – Orlando mass shooting. Emergency declaration denied.
    - June 2015 – Baltimore civil unrest. Emergency declaration denied.
    - DOJ provided $1M in grant assistance for both events listed above.

Q: Wait, didn't FEMA give a declaration for the Boston Marathon bombing?
A: Yes, FEMA did. However, they provided support for response and security activities, not law enforcement investigations. Of note, DOJ provided assistance through the Emergency Federal Law Enforcement Assistance (EFLEA) grant. ($1.9M)

Q: Hey, what about the LA Riots? FEMA granted assistance.
A: An Emergency Declaration was granted to manage the response to fire hazards, not to manage the enforcement of law.

Q from the Governor: Even though you say that Stafford isn't appropriate, I can ask FEMA for an Emergency Declaration, right?
A: Governor, it is always your right to request assistance through FEMA to the President for a federal disaster declaration. However, this situation does not fit Stafford Act given that the need is for law enforcement.

Q: Can FEMA provide anything if you are saying a declaration is unlikely?
A: FEMA would be able to provide technical assistance with planning if the state sees that as a need.

For your background:

A Major Declaration is specific to natural catastrophe, fire and explosion.

An Emergency Declaration has a broader definition. However, it is still not appropriate based on the above points relating to other agencies' specific authorities and prior declaration precedent.

Emergency Federal Law Enforcement Assistance (EFLEA) grant:
https://www.ncjrs.gov/pdffiles/eflea.pdf

- Federal law enforcement assistance to a state overwhelmed by a law enforcement emergency
- Assistance provided can include "funds, equipment, training, intelligence information, [or] personnel.

Talk about the fact that you have been in touch with Grez Wilz to monitor the situation.

Stress you were in South Dakota supporting their recent disaster and decided to get some on the ground awareness.

Highly recommend that you attend on your own and that Nancy Casper and Jon Huss do not participate. We need to keep this as low-key as we possibly given the situation.

Go in normal dress, not FEMA gear.

Nancy E. Gist, Director
U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

The Emergency Federal Law Enforcement Assistance Program

The Federal Government administers a variety of assistance programs to provide a coordinated response to State and local governments stricken by natural dis- asters. During such extraordinary circumstances, when State or local agencies are incapable of unilaterally coping with the aftermath of a flood, hurricane, tornado, or other natural calamity, the Federal Government has come to their aid with a multiagency response. Although the Federal Government has programs to assist State and local governments with natural disasters, until 1984 there was no coordinated Federal response for any other type of

emergency. A number of events occurring in the late 1970's and early 1980's are examples of the types of unexpected law enforcement emergencies State and local agencies may face: the Atlanta child murders; the Los Angeles Night Stalker, San Francisco Zodiac, and Seattle Green River serial murder investigations; and the Mariel Cuban boatlift. Although the Federal Government's primary law enforcement role is to enforce Federal criminal statutes, it can play an ancillary role by assisting State and local governments with unexpected law enforcement emergencies that overwhelm their capacities to respond.

Program Scope and Purpose

On October 12, 1984, the Emergency Federal Law Enforcement Assistance (EFLEA) Program was enacted into law as part of the Justice Assistance Act of 1984 (Public Law 98–473) and is now administered by the Bureau of Justice Assistance (BJA), Office of Justice Programs, U.S. Department of Justice. Its function is to assist State and/or local units of government in responding to law enforcement emergencies through the provision of Federal law enforcement assistance. The EFLEA Program authorizes the Attorney General to provide funds, equipment, training, intelligence information, and personnel to help alleviate emergency situations. It also authorizes the Director of BJA to assist the Attorney General in providing EFLEA assistance and coordinating program activities.

Congress' intent in passing the EFLEA Program was to create an assistance program to address extraordinary circumstances that have the potential to create serious threats to public safety. Congress limited the number of eligible law enforcement emergencies by restricting applicability to situations in which State and local re- sources have been completely exhausted or are inadequate to deal with a law enforcement emergency. The legislative history of the Justice Assistance Act of 1984 indicates that Congress expected few emergencies to be dire enough to require Federal involvement through EFLEA. The program was never intended to be a routine source of Federal financial assistance for criminal justice activities.

Section 609N(3) of the Justice Assistance Act clearly delineates the purpose of EFLEA and limits its applicability by defining a "law enforcement emergency" as:

> . . . an uncommon situation which requires law enforcement, which is or threatens to become of serious epidemic proportions, and with respect to which State and local resources are inadequate to protect the lives and property of citizens or to enforce the criminal law, except that such term **does not** [emphasis added] include the perceived need for planning or other activities related to crowd control
>
> for general public safety projects, or a situation requiring the enforcement of laws associated with scheduled public events, including political conventions and sports events.

The EFLEA Program serves a special purpose in alleviating damage resulting from a law enforcement emergency and providing financial support for actions taken to prevent further losses.

Eligibility for Program Assistance

If a law enforcement emergency exists throughout a State or in part of a State, the State may submit an application for itself or for units of local government to the U.S. Attorney General for EFLEA Program assis- tance. The application must meet certain criteria and be submitted in writing by the Governor in accordance with established EFLEA application guidelines, as described in the following sections.

Key Determining Factors

The Attorney General evaluates EFLEA Program applications based on the likelihood that the situation will escalate into a law enforcement emergency of epi- demic proportions, posing an imminent threat to public safety. The law enforcement emergency must be of sufficient magnitude to overwhelm the State or local government's ability to respond. Based on these criteria, the Attorney General approves or disapproves funding awards within 10 days after receiving the application.

Application Requirements

The Governor should submit a written application and signed transmittal letter that include the following elements:

- **Problem.** A description of the nature and extentof the law enforcement emergency, including the specific identification and description of the political and jurisdictional subdivision(s) where the emergency exists.
- **Resources.** A description of the State and local criminal justice resources available to address the emergency and an explanation of why and to what degree they are insufficient.
- **Required assistance.** A specific statement of the funds, equipment, training, intelligence information, and/or personnel requested and a description of their intended use.
- **Other assistance.** Information about any other assistance the State or appropriate unit of government has received or could receive under the provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.
- **Complete line-item budget.** A budget accompanied by a detailed narrative explaining all costs for which EFLEA funding is requested and showing how such costs were derived.
- **Signed and dated assurance statement.** A statement certifying compliance with applicable Federal statutes, regulations, policies, guidelines, and requirements.
- **Certificationstatements.** Statements concerning lobbying, debarment, suspension, drug-free workplace requirements, and other responsibility matters.
- **Disclosure of lobbyingactivities.** A description of any lobbying activities in which the applicant may be engaged, if the amount of the application exceeds $100,000.

Program Limitations

The EFLEA Program is not a grant program for normal and customary criminal justice expenditures; therefore, the following activities are not eligible for funding:

- **Land acquisition.** No funds are to be used to purchase or acquire land.
- **Supplantation.** No funds are to be used to sup- plant State or local funds that would otherwise be made available for such purposes.
- **Civil justice.** No funds or other assistance are to be used for civil justice matters, except to the extent that such matters relate directly and substantially to, or are inextricably intertwined with, criminal justice matters.
- **Use of Federal law enforcement personnel.** Federal law enforcement personnel may not be used to investigate violations of criminal law other than violations for which investigation is authorized by other pro- visions of law (Section 6090(a) of the Justice Assistance Act).
- **Direction, supervision, and control.** Neither the Attorney General nor the Federal law enforcement community may exercise any direction, supervision, or control over any applicant's police force or other criminal justice agency (Section 6090(b) of the Justice Assistance Act).

Examples of Recent Awards

EFLEA awards have been made for the following extraordinary law enforcement emergencies:

- **Suspicious deaths.** In June 1995, the State of Indiana requested funds to assist in investigating suspicious deaths in the intensive care unit of the Vermillion County Hospital in Clinton. The State was awarded $330,578 to support task force efforts in conducting a homicide investigation, exhuming dozens of bodies buried in cemeteries in several States, conducting autopsies and forensic analyses, and securing medical experts.

- **Rodney King/Reginald Denny cases.** In April 1993, the State of California requested funds for law enforcement overtime to amass a sufficiently large presence of State and local law enforcement officers to prevent civil disturbances. The State had incurred extraordinary overtime expenses during jury deliberations in the civil rights trial of police officers prosecuted for assaulting Rodney King and in the aftermath of the verdict convicting the assailants of truck driver Reginald Denny. The State was awarded $1 million.

- **Waco standoff.** In March 1993, the State of Texas requested funds for overtime accrued by law enforcement officers of the Texas Department of Public Safety and the McClennan County Sheriff's Office who were directly engaged in the Waco standoff between the Branch Davidian religious sect and law enforcement. The State was awarded a grant of $625,312.

- **Gainesville Homicide Task Force.** In September 1990, the State of Florida requested emergency funding for its Gainesville Homicide Task Force. The task force was investigating five murders committed within 1 week by a serial killer. Florida received an initial and a supplemental award totaling $1.14 million for over- time, fringe benefit costs, travel, and for associated expenses such as aircraft operations, equipment rental, and office supplies.

- **San Francisco earthquake.** In December 1989, the State of California submitted an application requesting assistance for law enforcement's response to the San Francisco earthquake. An award of $4.96 million was approved for law enforcement overtime, replacement or repair of damaged equipment, and emergency repairs to critical law enforcement facilities.

- **Hurricane Hugo.** In October and December of 1989, the State of South Carolina submitted applications requesting assistance for law enforcement's response to Hurricane Hugo. Two awards totaling $2.7 million were approved for law enforcement overtime, replacement or repair of damaged equipment, and emergency repairs to critical law enforcement facilities.

For Further Information

Detailed information about the EFLEA Program may be found at Title 28, Code of Federal Regulations, Chapter 1, Part 65. The program is codified at Title 42, United States Code, Section 10501. An application kit with additional information is available from:

Emergency Federal Law Enforcement Assistance (EFLEA) Program
Bureau of Justice Assistance 633 Indiana Avenue NW. Washington, DC 20531
202–616–2356

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Region VIII Clips
Friday, December 9, 2016

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STORIES

COLORADO:

Concerns being raised during peer reviews of hydrology study

By David Persons
Trail-Gazette

POSTED: 12/08/2016 01:35:54 PM MST

Professional feedback on the first draft of the recently-completed hydrology study is trickling in and some serious questions are being raised as a result.

The Town of Estes Park and Wright Water Engineers, the authors of the study, had planned to release the study to the public in October. But, after getting some comments and questions from local professionals as part of the peer review process, that release was put off until Dec. 14. It was then rescheduled for some time in early 2017 as officials work to answer the questions being raised.

Bill Van Horn, a long-time resident and licensed engineer and surveyor who currently is a consultant to Van Horn Engineering and Surveying, is one of the local professionals who has been asked to study the hydrology work and comment on it.

In a recent conversation with the Trail-Gazette, Van Horn said after reviewing the first draft of the study, he had serious concerns regarding the information used to gather the results which prompted him to submit a list of questions to the town for further review.

"I expect to receive word back from the town regarding the questions this month," Van Horn said.

Van Horn added that the first draft has also been reviewed by Van Horn Engineering and another independent party who have raised questions as well.

Although he wouldn't be specific about his questions, Van Horn said he is greatly concerned as to the impact that this study will have on the town if left in its current state. Specifically, he singled out insurance rates and the economic impact.

Town officials confirmed Wednesday that they have received Van Horn's questions and are reviewing them.

"We have received comments from several of these local stakeholders, including Mr. Van Horn, and we will be discussing responses provided by Wright Water Engineers with them soon," said Estes Park Public Information Officer Kate Rusch on Wednesday. "Once the report is finalized and receives a final review from FEMA, we will schedule a public meeting in early 2017.

"Exact dates for these steps have not been determined yet because the hydrology study itself is being revised to reflect comments from the formal peer review process. When we have the final report and FEMA has been able to review the data again, we will schedule those discussions and the public meeting.

"We have received positive comments from the State of Colorado and FEMA regarding the Town's extensive efforts to ensure a strong report to serve as the basis for future floodplain maps and decisions. Partner agencies have noted the Town's public engagement efforts for this post-flood study have been unprecedented."

Estes Park Town Administrator Frank Lancaster pointed out that the hydrology study is still in draft form and undergoing updates based the peer reviews. He called the peer reviews "a necessary and expected part" of the study process.

"Many of the changes being made to the first draft also address questions raised by local stakeholder reviewers like Mr. Van Horn," Lancaster said. "We appreciate their comments and expertise.

"This study is the foundation moving forward for flood mapping, flood insurance ratings, and for any future flood mitigation projects, so we are taking the necessary time and making sure the results are accurate and solid."

When the hydrology study is publicly released early next year, Wright Water Engineers, will make a presentation and be available to answer both general and technical questions. Staff from the Colorado Water Conservation Board will discuss preliminary floodplain maps and staff from the Colorado Resiliency and Recovery Office will be in attendance to answer questions.

The presentation will include a scientific study of the Big Thompson River, Black Canyon Creek, Dry Gulch, and Fall River. Other topics to be discussed will be a preliminary map of new floodplain boundaries in the downtown area and how this study impacts floodplain management.

MONTANA:

NORTH DAKOTA:

ND governor says pipeline company 'abdicated' role in defending project

By Patrick Springer on Dec 8, 2016 at 5:21 p.m.

Dalrymple also said in a meeting Thursday, Dec. 8, the sprawling protest presence near Cannon Ball, N.D., operates outside the control of the Standing Rock Sioux Tribe and it is difficult for officials to identify a clear leader in the shape-shifting movement.

- **Latest: It's transition time at protest camps as people start leaving**
- **Complete coverage of the Dakota Access Pipeline protests**

In a wide-ranging conversation about the state's difficulties in dealing with the ongoing protest, Dalrymple expressed frustration that the company building Dakota Access Pipeline, Energy Transfer Partners, has not been vocal in making the case for the project in the public debate.

"They have abdicated completely their responsibility to explain the safety of the pipeline," Dalrymple said, adding that the portion planned to pass under Lake Oahe on the Missouri River will be double-strength, buried more than 90 feet beneath the riverbed and carefully monitored.

"It's as safe a pipe as you can build," the governor said.

"The pipeline is great for our economy," he added, explaining that it could carry half of the oil produced in the Bakken Formation in the state.

- **Man arrested for bomb threat in WF police parking lot**

Native Americans and environmental activists have been protesting to prevent the Dakota Access Pipeline from crossing under Lake Oahe at a point that is just upstream of the Standing Rock Sioux Reservation.

The Obama administration's Army Corps of Engineers announced Sunday, Dec. 4, that it would not grant an easement allowing the pipeline to cross under Lake Oahe, despite granting other permits for the $3.8 billion project designed to carry Bakken crude oil 1,172 miles to a hub in Illinois that provides access to oil refineries near the Gulf Coast.

North Dakota officials have been busy maintaining public safety in the face of a sophisticated public relations operation involving paid protesters, strategic advice from public relations professionals and an "army" of activists posting often misleading information, including "fake news," that has shaped national media coverage, Dalrymple said.

"National media is killing us," the governor said.

"There's a new paradigm," he said, referring to the influence of social media in molding public opinion. "I try to do what I can, but I'm no match for that organization. That's a long-term challenge. That may be going on well after the pipeline is laid."

Some protesters also repeatedly provoked law enforcement officers to try to goad them into a response that would make law enforcement look bad on video that would be widely shared on social media sites, Lt. Gov. Drew Wrigley said.

One notable example came Nov. 20, he said, when protesters refused to back away from a bridge and set fires. When responders used fire hoses to douse the flames, protesters could easily have moved back away from the spray, but didn't, creating a misleading visual representation of the confrontation, Wrigley said.

Wrigley said he and Dalrymple, joined by Col. Michael Gerhart, superintendent of the North Dakota Highway Patrol, and Al Dohrmann, adjutant general of the North Dakota National Guard, as well as Ron Rauschenberger, Dalrymple's chief of staff, watched a live video feed of the confrontation.

- **'It wears on you': Cass County Sheriff reflects on months of intense DAPL protests**

"The Native Americans are being used, absolutely being used, by these outside agitators," Wrigley said. "The state of North Dakota is not in conflict with the Standing Rock tribe."

Law enforcers have made more than 500 arrests so far, with 90 percent of those arrested coming from outside the state, Gerhart said. Officers have acted with great restraint, but are forced to act when protesters break the law, he said.

"Every time it becomes dangerous is because of their actions," he said. As examples, he said officers have been shot at, have faced improvised explosive devices, and have had rocks and burning logs thrown at them.

It has been clear for months that David Archambault II, the Standing Rock tribal chairman, is not able to control many of the protesters, Dalrymple said. After the corps' announcement on Sunday, Archambault asked protesters, many living in tents or other accommodations that are no match for a harsh North Dakota winter, to go home.

"Archambault's influence is non-existent" with protesters, said Dalrymple, who said he has a good relationship with the tribal chairman and has visited with him many times during the protests, often by telephone.

North Dakota no longer has any regulatory role in determining the fate of Dakota Access Pipeline, but must provide public safety, including for the protesters, Dalrymple said. The state's cost so far is $17 million, he said.

The project will be in limbo until the Donald Trump administration takes over, Dalrymple said.

"I'm not going to lead us out of a federal easement decision," the governor said.

Tribes say corps announcement reason to stay lawsuit

- LAUREN DONOVAN Bismarck Tribune

U.S. Corps of Engineers Omaha District Commander Col. John Henderson, Standing Rock Sioux Tribe Historic Preservation Officer John Eagle and Rep. Kevin Cramer, left to right, lead a group of participants in a field examination of the Dakota Access Pipeline construction site in Morton County near Lake Oahe in October.

The Standing Rock Sioux Tribe wants its lawsuit against the U.S. Army Corps of Engineers put on hold, following the corps' announcement Sunday that it will not grant an easement for Dakota Access Pipeline to drill under the Missouri River/Lake Oahe while it examines alternate routes through the environmental impact statement process.

The motion to stay the suit was filed for Friday's status hearing in U.S. District Court in Washington with Judge James E. Boasberg.

"We're asking to put the case aside, because, depending on the outcome of an EIS, it resolves most of the tribes' concerns," said tribe attorney Jan Hasselman, of Earthjustice.

The lawsuit filed in July by Standing Rock and the Cheyenne River Sioux Tribe claims the corps failed to follow federal law or properly consult tribes when it issued a permit for the 570,000-barrel pipeline project. The suit calls for a rigorous EIS rather than the environmental assessment used by the corps to justify the permit.

The permit did not include a written easement to use corps' property to directionally drill the oil pipeline under the Missouri River/Lake Oahe. The announcement ended months of uncertainty over the easement, the lack of which has stopped the pipeline in its tracks, with no way to link pipe installed on both sides of the river.

Dakota Access is also in court following the corps' announcement. It filed a motion asking Boasberg to find that the corps did in fact issue an easement in a consent document as well as under Section 408 permissions.

The tribes' motion reserves the right to resume the suit if Boasberg agrees with Dakota Access and the company starts the drilling project. The tribes objected to a suggestion by Dakota Access that oral arguments on its motion to dismiss could also be heard at Friday's status hearing. Hasselman said he believes the pipeline's motion won't be heard before February.

By way of explaining its announcement, the corps said that, for reasons of security and sensitivity, information in the environmental assessment was withheld from the public and Standing Rock. The information included a model analysis of an oil spill in Lake Oahe, a risk analysis of the horizontally directionally drilled pipeline under Lake Oahe and a comparison to the north-Bismarck pipeline route that was jettisoned by the company before any public input.

Hasselman said all three of those confidential documents were withheld from the tribes even after it brought its lawsuit.

"They were kept totally confidential, and there's no reason for it," said Hasselman, adding the lack of information meant there was no way for the tribes to evaluate a potential spill or the risk of a blowout during the hydraulic drilling operation. "The environmental assessment was all written by Dakota Access; the corps was at arm's length."

The lack of an alternative route in any assessment, including the north Bismarck one, is at the heart of the matter, according to Hasselman.

"It was moved away from Bismarck because of drinking water concerns and set on the tribes' doorstep, and that's a critical reason for how the story has unfolded," he said.

Defending Richland-Wilkin Counties

Fargo will continue bullying their neighbors until someone says no

- JPA Editorial Board, Wahpeton Daily News

Fargo city leaders want to provide additional tax incentives for people who build in flood prone areas. Members of Fargo's Tax Exempt Review committee last week discussed the need to help people who want to build their homes where they are at a higher risk of flooding.

City Commissioner Tony Gerhig has objected to the plan because he says it's "beyond me" why they would pay for buyouts in some flood prone areas, then incentivize construction in others. Gerhig says he hopes the plan goes nowhere.

Mayor Tim Mahoney was critical of Gerhig's opposition to the plan. He says they only want to help people buying lots where they already have plans for development. That consists of raising lots above the current FEMA flood plain level by hauling in fill. City codes do not require them to be higher than what future flood insurance elevation requirements will be. The "prairie dog town" approach to development in the Davies High school area in south Fargo has been going on for several years. It is an area that Fargo leaders say will be unable to get flood insurance if FEMA raises the 100-year flood level.

This policy proposal is the poster child for why Fargo says they need to flood 50,000 acres upstream of their city. It's about provincial politics that enriches a few developers, construction companies and real estate developers in their city. Recent high river crests have been exacerbated by development that forces water out of its natural flood plain and prematurely into the river channel. City planners know it's happening and continue not only issuing building permits, but now want to provide financial incentives to make the situation worse.

Minnesota residents should be appalled at the practice. The Minnesota Department of Natural Resources has rightly labeled the diversion project as a land swap between Fargo developers and rural communities upstream. Fargo will continue bullying their neighbors until someone says no. The Richland Wilkin Joint Powers Authority is asking a federal court to do that. The Department of Natural Resources says what Fargo wants to do is illegal under Minnesota law and must stop. Federal law says the diversion cannot go forward without Minnesota's approval. Legal arguments will be in front of a federal judge again this month. Hopefully he can restore reason to the regions flood protection.

Weather Talk: Red River is faster, higher than long-term average at this time

By John Wheeler Today at 6:27 a.m.

The Red River in Fargo has been dropping slowly the past few days to around 15 feet. The river is faster and higher than the long-term average for early December, but this is of no concern as the Red has remained quietly within its banks all year thanks to two dry winters in a row. We even managed to get through a few heavy rains this summer and fall without any river flooding due to greater storage capacity in the soil. In very dry times past, the river has actually dried up. Although it has been wet around here for most of the past 25 years, there have been some severe droughts in our past when the Red River stopped flowing entirely. The last time there was no flow was in October 1976. During the severe drought of the 1930s, the winter of 1936-1937 brought 82 inches of snow, a record at the time. As the record snow melted in the spring, the Red at Fargo rose from no flow to a crest of 10 feet, which is about 5 feet lower than the stage today.

SOUTH DAKOTA:

UTAH:

Ground broken for new Sonrise church

by Kelsey Keener Iron County Today
Dec 08, 2016 | 97 views

On Sunday afternoon, leaders of the Sonrise Christian Fellowship broke ground on the property where the Fellowship's new church will be located. Members of the community and the congregation were there to help celebrate an accomplishment that has been 13 years in the making.

Pastor Jim Vasquez started by giving a brief overview of the Fellowship's journey in acquiring its own church building. Currently, the Fellowship meets in different places throughout Cedar City, sometimes renting rooms and spaces from existing buildings.

Pastor Vasquez said the SCF purchased land for a church on Cross Hollow Road, but was financially unable to build on it because it was floodplain land and because of difficulties with FEMA. Hearing about the SCF's struggle, a generous developer donated five acres of land off of Iron Springs Road to the Fellowship so it could build a church.

The congregation is glad for the new land, as many in attendance expressed their excitement and gratitude.

Alicia Benson, a representative from Tushar Contracting Inc., and Clarence Jones from Pacific Design Concepts, were there to show support for SCF.

Jones said the new church will be about 110 feet from the front of the road, with a parking lot in front of the building, and will be 12,000 square feet. In the future, there are plans to add another 2,000 square feet as well as things like pavilions behind the building.

After Pastor Vasquez spoke, he led everyone in a brief prayer and then anyone who brought a shovel was invited to participate in the groundbreaking.

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Region VIII Clips
Monday, December 19, 2016

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You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

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MONTANA:

Blizzard Conditions Shut Down Montana Interstate Highway

Associated Press, December 18, 2016

BILLINGS, Mont. (AP) – Blizzard conditions are being reported in Livingston, with visibility reported at less than a quarter of a mile.

The National Weather Service says Interstate 90 has been closed from Park City to Springdale because of dangerous driving conditions.

Authorities urged people to stay home, and warned those who venture out could not only endanger themselves, but others who might have to rescue them.

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NORTH DAKOTA:

Massive 2013 oil spill in North Dakota still not cleaned up

- Associated Press
- 18 hrs ago

BISMARCK, N.D. — Three years and three months later, a massive oil spill in North Dakota still isn't fully cleaned up. The company responsible hasn't even set a date for completion.

Though crews have been working around the clock to deal with the Tesoro Corp. pipeline break, which happened in a wheat field in September 2013, less than a third of the 840,000 gallons that spilled has been recovered — or ever will be, North Dakota Health Department environmental scientist Bill Suess said.

A farmer, Steve Jenkins, who'd smelled the crude oil for days, discovered the spill in his northwestern North Dakota field near Tioga — his combines' tires were covered in it.

While the nearest home was a half-mile away and the state said no water sources were contaminated and no wildlife hurt, one of the largest onshore oil spills recorded in the U.S. serves for some as a cautionary example, especially given a recent pipeline break about 150 miles south and ongoing debates over the four-state Dakota Access pipeline.

"What happened to us happened and we can't go back," said Patty Jensen, Steve's wife. This month's pipeline break in Belfield, which belched an estimated 176,000 gallons of oil into a creek that feeds into the Little Missouri River, a tributary of the Missouri River, really rankled her.

"But I get really upset when I hear of a new one and I wonder what is being done to prevent these spills," she said.

Both the Tesoro break and the Belfield break occurred on 6-inch steel pipelines — a part of a large network pipelines that crisscross western North Dakota's oil patch. By comparison, the Dakota Access pipeline is made of 30-inch steel and will carry nearly 20 million gallons daily.

The Tesoro spill was not far from where oil was first discovered in North Dakota in 1951.The Texas-based company and federal regulators have said a lightning strike may have caused the 2013 rupture in the pipeline, which runs from Tioga to a rail facility outside of Columbus, near the Canadian border.

North Dakota regulators initially thought just 750 barrels of oil was involved in the spill, but later updated the amount exponentially. They also expanded the affected acreage from about 7 — the size of seven football fields — to about 13 acres, Suess said. The cleanup has cost Tesoro more than $49 million to date and is expected to top $60 million, according to recent filings to the state.

Tesoro spokeswoman Destin Singleton said she could not immediately confirm the numbers, and noted the cleanup completion date remains unknown. The pipeline was monitored remotely, but the company has said the spill wasn't detected.

Crews have had to dig as deep as 50 feet to remove hundreds of thousands of tons of oil-tainted soil, Suess said. The company has now switched to special equipment that cooks hydrocarbons from crude-soaked soil in a process called thermal desorption before putting it back in place.

The Dec. 5 spill on the Belle Fourche pipeline also was discovered by a landowner. Crude oil migrated about almost 6 miles from the spill site along Ash Coulee Creek, and fouled an unknown amount of private and U.S. Forest Service land along the waterway. Seuss said it appears no oil got as far as the Little Missouri River, and no drinking water sources were threatened.

It's not yet clear why monitoring equipment didn't detect the leak, according to Wendy Owen, a spokeswoman for Casper, Wyoming-based True Cos., which operates the pipeline.

The Dakota Access pipeline builder, Texas-based Energy Transfer Partners, has said the project will be safe and that workers remotely monitoring the pipeline will be able to shut it down if a leak is detected.

Owen said didn't know how long it would take to clean the Belle Fourche spill, given that wintry weather was slowing down the progress, or how much it would cost.

Patty Jensen is aware of the glacial pace of oil spill cleanups. For more than three years, it's been part the couple's life.

"They are there working away 24 hours a day, seven days a week — it's pretty amazing," she said. "The noise from the equipment used to bug us but we've grown used to it."

Only the hardiest remain at Dakota Access Pipeline protest camp

By Reuters Media Today at 7:55 a.m.

CANNON BALL, N.D. - Two weeks after a victory in their fight against the Dakota Access Pipeline, most protesters have cleared out of the main protest camp in North Dakota - but about 1,000 are still there, and plan to remain through the winter.

These folks say they are dug in at the Oceti Sakowin Camp in Cannon Ball, North Dakota, despite the cold, for a few reasons. Most are Native Americans, and want to support the tribal sovereignty effort forcefully argued by the Standing Rock Sioux, whose land is adjacent to the pipeline being built.

Others say they worry that Energy Transfer Partners LP, the company building the $3.8 billion project, will resume construction without people on the ground, even though the tribes and the company are currently locked in a court battle.

Future decisions on the 1,172-mile (1,885-km) pipeline are likely to come through discussions with the incoming administration of Donald Trump, or in courtrooms.

“I’ve seen some of my friends leave but I will be here until the end and will stand up to Trump if he decides to approve the permit,” said Victor Herrald, of the Cheyenne River Sioux Tribe in South Dakota, who has been at the camp since August.

At one point the camp had about 10,000 people, including about 4,000 veterans who showed up in early December - just before the U.S. Army Corps of Engineers denied a key easement needed to allow the Dakota Access Pipeline to run under Lake Oahe, a reservoir formed by a dam on the Missouri River.

After the Corps decision, Standing Rock chairman Dave Archambault asked protesters to go home. The camp's population now runs from 700 to 1,000, depending on the day, and many come from the nearby Standing Rock reservation where they live.

Those left say they are there to "show our strengths," as Bucky Harjo, 63, of the Paiute tribe, from Reno, Nevada, put it, while the tribe deals with the legal battle.

Logistics are key for those still at the camp, located on federal land. Theron Begay, a Navajo journeyman who is a certified construction worker and heavy machine operator, has been put in charge of winterizing the camp. He is training volunteers to build structures that can withstand sub-zero temperatures and bitter winds, as well as compost toilets.

Some people at the camp have gotten pneumonia, and they and others went to an emergency shelter that was built three miles away to escape the cold.

Because the Oceti Sakowin camp is located on a flood plain, waste from the camp poses risks to the nearby Cannonball River. Tribal leaders have said the camp may need to move if it wants to remain active. Begay said the structures can be "disassembled like a puzzle in two hours” and re-established on drier ground.

North Dakota's Governor Jack Dalrymple said in a Tuesday statement that he and Archambault recently met to discuss reducing tensions between the tribe and law enforcement. They are discussing reopening the nearby Backwater Bridge on state highway 1806, which has been blockaded since Oct. 27, when activists set vehicles on fire.

Harjo said he will leave "when I see the drill pad removed and DAPL out of here, and when they reopen 1806 and when we are free to go at our own will and not be targeted on the highway."

Tom Goldtooth, executive director of the Indigenous Environmental Network, and a constant presence in the camp, said the protest is transitioning "to the next level of our campaign" to stop the pipeline.

Some still at the camp worry that if they leave, Energy Transfer Partners will restart construction. ETP asked a federal judge on Dec. 9 to overrule the government's decision and grant the easement. The judge declined that request; the parties are due back in court in February.

Trump, who owned ETP stock through at least mid-2016, according to financial disclosure forms, could order the Army Corps to grant the permit. His choice for U.S. Energy Secretary, former Texas Governor Rick Perry, is on ETP's board. Standing Rock Sioux representatives met with members of Trump's transition team this week to urge the incoming president to deny the easement.

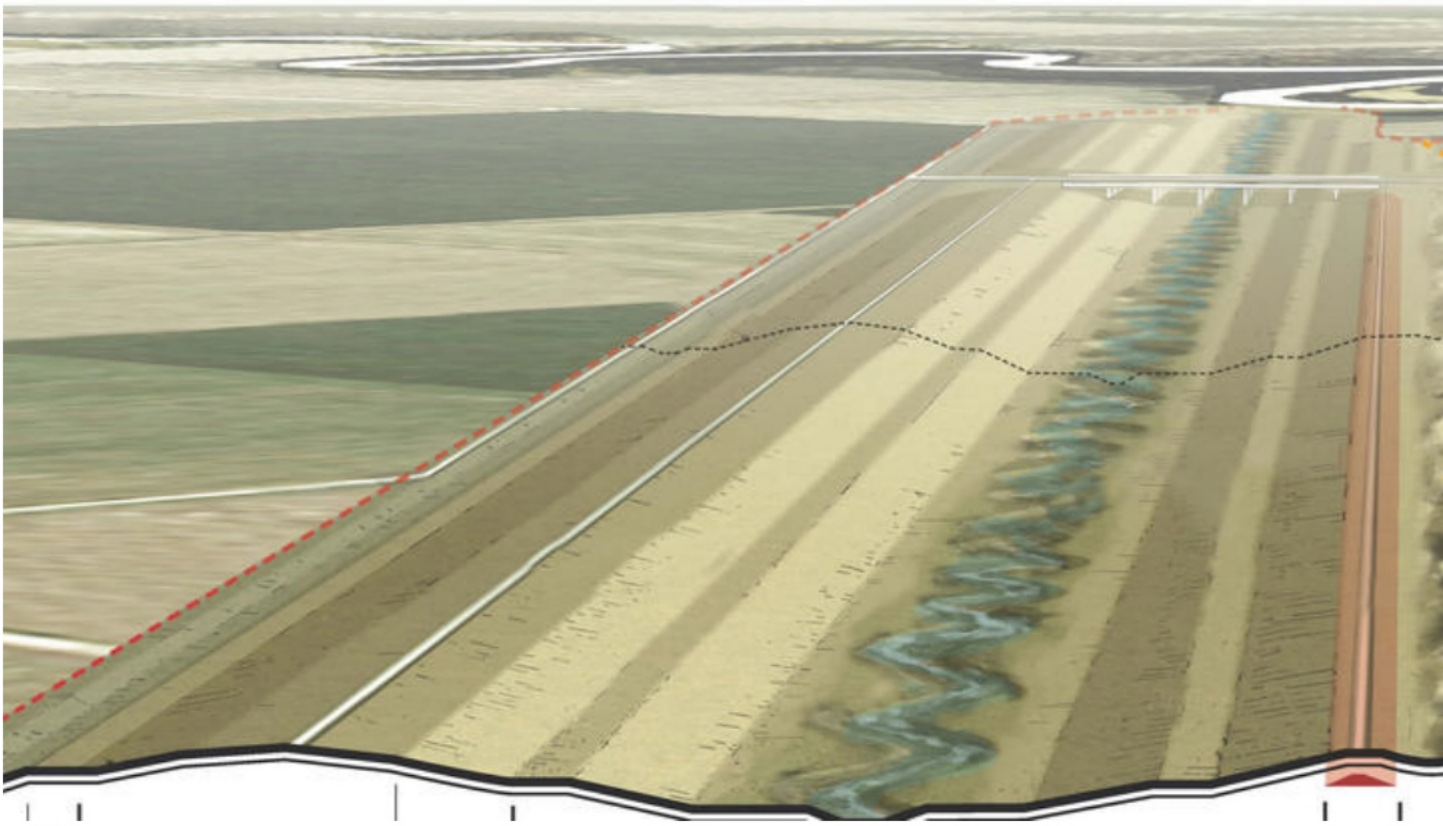
Protesters who remain at the camp are still receiving donations of money and supplies from people across the United States. On a recent visit to the camp's emergency shelter it was filled with boxes delivered via Amazon.com.

Goldtooth said tribal leaders are talking about an exit plan for the camp. "We will continue to provide infrastructure support to those who stay here," he said. "We'll make sure they're safe and warm."

(Reporting By Valerie Volcovici in Cannon Ball, N.D., additional reporting by Andrew Cullen and Ernest Scheyder; Writing by David Gaffen; Editing by Andrew Hay)

Diversion P3 hopefuls will get back portion of $10 million bid cost, if they promise not to sue

By Tu-Uyen Tran on Dec 18, 2016 at 5:31 p.m.



An artist's rendering depicts a cross section of the proposed Fargo-Moorhead flood diversion channel. / Photo credit: Special to The Forum.1 / 2FARGO — The contract to build the 30-mile flood-diversion channel around Fargo-Moorhead will be unlike contracts for any other public works project in the area, according to bid procedures recently adopted by the Diversion Authority.

For one thing, the authority will offer to compensate each bidder a maximum of $1 million to recover some of the cost of preparing a bid—but only if they agree not to sue should they not get the massive contract. Authority staff said this is standard industry practice because of the enormous stakes involved, which could result in massive lawsuits from unsuccessful bidders.

The Diversion Authority has estimated it would cost around $763 million to build the channel, which would go to a single consortium of firms. Consultants at CH2M Hill estimate each firm will spend about $10 million just to prepare the bid.

The total cost of the project, which includes dikes in Fargo, a dam to control the flow of Red River flood water into the channel and land acquisition, is estimated at $2.2 billion.

The bid procedures are part of a request for proposal the Diversion Authority board agreed on Thursday, Dec. 15, to issue to four consortiums that had won an earlier competition for the right to bid.

Board Chairman Darrell Vanyo called the RFP a "huge milestone." The next step is to receive bids and award a contract.

The four consortiums eligible to bid are Lake Agassiz Partners, Red River Valley Partners, Red River Valley Alliance and Red River Partners, all made up of national and international firms. Subcontractors include many local firms.

Different kind of contract

If the diversion project were like most other public works projects in the region, it would be either smaller in scale or broken up into many phases, each of which would go to a different contractor. The $409 million dike and diversion system protecting Grand Forks-East Grand Forks was built by multiple contractors in part because the amount of work was limited by how much funding Congress provided each year.

Such stop-and-start construction increases costs, according to Diversion Authority officials.

In an effort to reduce costs and speed up construction, the authority and federal government agreed to use a P3 funding model, short for public-private partnership, on the channel and related structures. The U.S. Army Corps of Engineers will be responsible for the dam using the traditional funding model.

With P3, the authority would agree upfront to pay specified amounts each year to a single private partner that would be in a better position to control costs and speed than multiple contractors.

Unlike in most public works projects where the government already has a design it wants contractors to build, the P3 contractor would receive from the Diversion Authority technical requirements such as the volume of water the channel must accommodate and a certain level of safety, according to authority attorney John Shockley. Contractors will produce a design to meet those requirements and are encouraged to find innovative ways to do so at lower costs.

Big stakes

Because the contract could be worth more than $700 million and the cost of bidding $10 million, unsuccessful bidders would have a real incentive to sue, according to authority staff. That's why it's standard industry practice to agree to reimburse some costs in return for a waiver of protest, which prevents bidders from suing.

Bidders are eligible for a maximum reimbursement of $1 million or half the cost of designing the diversion channel, whichever is less. If the authority canceled the P3 process, bidders are eligible for a maximum reimbursement of $500,000 or the actual cost spent on the bid, whichever is less.

"The costs of a legal suit are unknown and could easily exceed the cost of the waiver," staff said in briefings provided to the authority.

If any of the four consortiums declined the waiver, they would still be allowed to bid but would not be eligible for reimbursements.

By paying for the design, the Diversion Authority would also have the right to use whatever innovation the bidder came up with. Staff said that means if an unsuccessful bidder found a way to build an aqueduct for less, the authority can ask the successful bidder to incorporate that into its design.

Authority board members didn't discuss the waiver but the finance committee did at its Nov. 29 meeting, according to meeting minutes.

Fargo City Commissioner Tony Grindberg, who is on both the finance committee and the authority board, said he was skeptical of the reimbursements at first but decided it did make sense as a design fee.

City Commissioner Tony Gehrig, who is on the finance committee only, said he was only willing to pay for the design if the authority used it. He said this is the first federal flood-control project to use P3, and its visibility as a pilot project should be enough to attract bidders.

City Finance Director Kent Costin said credit rating agencies he spoke with all strongly advised the authority follow standard industry practice.

The committee voted 10-1 to recommend the authority board adopt the waivers. Two members were absent. The authority board voted unanimously Thursday.

SOUTH DAKOTA:

UTAH:

WYOMING:

Energy development viewed differently among Native American tribes

- Heather Richards 307-266-0592 Heather.Richards@trib.com

- Updated 12 hrs ago

The Wind River runs along the boundaries of Riverton and the Wind River Reservation. Some tribal members are hopeful that a Donald Trump presidency could mean more autonomy over energy development on their lands.

Some Native Americans hope that a Donald Trump presidency will give tribes more control over energy development on reservations.

The push has come out of talks with the president-elect's Native American Coalition, a group of 27 members at its start, representing 15 states. While no members of Wyoming's Eastern Shoshone and Northern Arapaho tribes were on the original coalition, energy development has historically frustrated some tribal members in the state.

A move to less federal oversight is often seen as a nod to Native American tribal government rights, but tribal members also want to strike a balance between traditional values of protecting the environment and the boon of fossil fuel development for local economies.

In April, a bill penned by Wyoming's U.S. Sen. John Barrasso that sought to amend previous energy regulations on tribal lands passed in the Senate as part of a larger energy platform.

Though the bill doesn't go as far as the suggestion from Trump's coalition that energy development should be privatized in Indian Country, proponents say it reduces the bureaucratic hurdles to drill and mine on reservations, like streamlining the multi-step approval process for development.

It was first introduced in 2011 after consultation with Wyoming tribal leaders at the time, said Mike Danylak, spokesman for the congressman on the Indian Affairs Committee. The bill would have to pass the House before it becomes law.

Moves likes Barrasso's highlight the important role industry might play in economic development on the Wind River Reservation. Some hope that less oversight will mend a history of frustration and bad deals, said Jason Baldes, director of the Wind River Native Advocacy Center.

"A lot of those (energy) contracts that were developed early on were negotiated at an advanced stage," he said. "We as tribes didn't have the legal expertise or the right legal department to really reap the benefits of oil and gas on the reservation."

The result was lost revenue, and the desire to change course goes back decades.

In a hearing before the House Committee on Natural Resources in 2012, Wes Martel, then council vice chairman for the Shoshone Business Council, told congressmen that he had been appointed by the Secretary of the Interior in the early '80s on an advisory committee for mineral accountability. Their task was meant to set down new rules and regulations.

"Thirty years later, we are still waiting for these regulations to be fully implemented," he told the House committee.

Though details differ from reservation to reservation, the heart of the issue is sovereignty, Baldes said.

"Oftentimes the federal government, as well as other agencies, don't operate with tribes on a government to government relationship," he said. "That sovereignty, that self-determination, must be something that is acknowledged."

What shouldn't continue is the reliance on the Bureau of Indian Affairs, which like other federal land agencies such as the Bureau of Land Management, governs much of the permitting process for native development, he said.

Tribes are distrustful of federal involvement in local decisions based on a history of tension between agencies and the tribes, Baldes said.

It's a sentiment shared by Barrasso, who couldn't be reached for comment but provided a statement on his energy bill.

"For years, Indian tribes have expressed concerns about the numerous job-crushing federal laws and duplicative regulations governing the management of Indian energy resources," he said. "Instead of creating more barriers to energy development in Indian Country, Washington needs to focus on removing them."

However, despite the benefits of controlling development on reservations, there is another side to the energy debate that many tribal members are considering, Baldes said.

"Different tribes have different feelings about oil and gas and natural resource extraction," he said. "Personally, and based on the people I work with, we recognize the need to move away from our dependence on fossil fuels, and we need to begin to look at more renewable resources."

Particularly, on a small scale, solar and wind energy can be achieved on a reservation, he said.

But the economic benefit to fossil fuels is undeniable, and some tribes may choose to go in that direction, he said.

Revenue is a key issue in the discussion over tribal energy.

Some proponents of reduced federal oversight have criticized the taxing of companies that operate on tribal lands, that pay both federal and tribal government taxes in addition to state taxes.

That can inhibit development while drawing money away from the tribes toward state and federal government.

A series of studies paid for by the Eastern Shoshone and Arapaho business councils in the early 2000s indicated that the tribes pay significantly more each year to the state of Wyoming than they reap in services. That held true every year from 1979 to 2002, according to the study prepared by Charles River Associates in 2003.

What some tribes see as a recourse to the tax and sovereignty dilemma is ownership of the companies drilling on their reservations, said Baldes.

"In the past the tribes have looked at developing our own oil and gas companies," Baldes said. "So that we can dictate where these funds come from and how they are allocated."

Ultimately, each tribal government should be able to determine how and when they develop energy resources, he said.

FEMA-RELATED STORIES:

From: Greff, Stacie
Sent: 17 Mar 2017 15:18:57 +0000
To: DeFelice, Jerome;Dombrowski, Justin
Subject: RE: Cecily needs to speak at the beginning of our call.

Okay. I can do that.

Did you book a room? Our offices can hold some but not all.

From: DeFelice, Jerome
Sent: Friday, March 17, 2017 9:16 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: FW: Cecily needs to speak at the beginning of our call.

Highlight…

From: DeFelice, Jerome
Sent: Friday, March 17, 2017 9:15 AM
To: (b)(6) @nd.gov>
Subject: RE: FEMA checking in

That's fine. Thanks again.

From: (b)(6) [mailto:(b)(6) @nd.gov]
Sent: Friday, March 17, 2017 8:57 AM
To: DeFelice, Jerome <Jerome.DeFelice@fema.dhs.gov>
Subject: RE: FEMA checking in

Hi Jerry,

Just FYI…I've got commitments at 1pm and 2pm so I will need to do my bit at the beginning of the call and will take any questions, then I'll have to leave the call.

Thanks.

From: DeFelice, Jerome [mailto:Jerome.DeFelice@fema.dhs.gov]
Sent: Wednesday, March 15, 2017 10:27 AM
To: (b)(6) @nd.gov>
Subject: RE: FEMA checking in

CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Hi, Cecily—
Glad you can make it. Call will be at noon your time. Apologies for the confusion.

See you,
Jerry

From: (b)(6) [mailto:(b)(6)@nd.gov]
Sent: Wednesday, March 15, 2017 8:34 AM
To: DeFelice, Jerome <Jerome.DeFelice@fema.dhs.gov>
Subject: RE: FEMA checking in

Sure.

From: DeFelice, Jerome [mailto:Jerome.DeFelice@fema.dhs.gov]
Sent: Tuesday, March 14, 2017 11:12 AM
To: (b)(6)@nd.gov>
Subject: FEMA checking in

CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Hi, Cecily—

Would you be available to call in to our state PIO call on Friday, at 11 a.m., and say a few words about your JIC activity throughout DAPL?
I saw the news today reporting the pipeline is expected to be completed soon.

Hope you are well.

Thanks,
Jerry

Jerry DeFelice
External Affairs
FEMA Region VIII, Denver
303-235-4948
303-941-5088 cell
Jerome.DeFelice@fema.dhs.gov



From: Greff, Stacie
Sent: 15 Feb 2017 16:52:21 +0000
To: Dragani, Nancy
Subject: RE: Clip: DAPL

Yes, an interesting stat. Thought this was a good overall article given where we are at.

Also, an interesting one relating to spring melt in ND, which I'll push too.

From: Dragani, Nancy
Sent: Wednesday, February 15, 2017 9:48 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: Clip: DAPL

Huh! 92% of those arrested are NOT from ND.

From: Greff, Stacie
Sent: Wednesday, February 15, 2017 10:31 AM
To: R8 Division Directors <R8DivisionDirectors@fema.dhs.gov>
Subject: FW: Clip: DAPL

Fysa

Sent from my iFEMA mobile device.

From: DeFelice, Jerome
Sent: Wednesday, February 15, 2017 3:33:20 PM
To: Greff, Stacie; Dombrowski, Justin; Floyd, Megan; Garcia, Carol; Stephenson, James R
Subject: Clip: DAPL

Article by Bismarck AP reporter. Appeared in this morning's Denver Post and other outlets across the region. He's been doing these sort of updates periodically.

A guide to recent events in the Dakota Access pipeline battle

North Dakota says law enforcement response to pipeline protests has cost taxpayers $33 million so far.

-
-



Tom Stromme, The Bismarck Tribune

This aerial photo shows a site where the final phase of the Dakota Access Pipeline will take place with boring equipment routing the pipeline underground and across Lake Oahe to connect with the existing pipeline in Emmons County, Feb. 13, 2017, in Cannon Ball, N.D.

By The Associated Press

PUBLISHED: February 14, 2017 at 6:02 pm | UPDATED: February 14, 2017 at 6:31 pm

By Blake Nicholson, *The Associated Press*

BISMARCK, N.D. — The disputed four-state Dakota Access pipeline could be moving oil in as little as a month, though opponents are promising to continue fighting the project. Here's a look at recent developments, and what's to come:

How far along is construction of the Dakota Access pipeline?

Texas-based developer Energy Transfer Partners on Feb. 8 received approval from the Army to lay pipe under a Missouri River reservoir in North Dakota — the last remaining section of the 1,200-mile pipeline that would move North Dakota oil to Illinois. Drilling work at Lake Oahe began immediately. The development was prompted by President Donald Trump, who pushed the Army to advance construction.

ETP spokeswoman Vicki Granado initially said the pipeline would be operational within three months. However, company lawyer David Debold on Monday suggested it could be ready for oil in as little as 30 days. Granado credited the efficiency of the company's equipment and crews, but didn't elaborate.

What's the latest ruling in the court cases involving the Standing Rock and Cheyenne River Sioux?

The Standing Rock and Cheyenne River Sioux say the $3.8 billion pipeline threatens their drinking water, cultural sites and ability to practice their religion, which depends on pure water. They asked U.S. District Judge James Boasberg to temporarily halt construction at Lake Oahe until their legal challenges are resolved.

Boasberg on Monday refused, though he scheduled a Feb. 27 hearing on a request by Cheyenne River to force the Army to withdraw its permission for the lake crossing.

Tom Stromme, The Bismarck Tribune via AP, file

A section of the Dakota Access Pipeline under construction near the town of St. Anthony in Morton County, N.D., on June 29, 2016.

A Standing Rock attorney plans to ask Boasberg to rule on the tribe's claims before pipeline operations begin.

The Oglala and Yankton Sioux tribes in South Dakota have filed similar legal challenges, the Yankton tribe in September and the Oglala Sioux on Saturday.

In a separate lawsuit, pipeline opponents suing police for allegedly using excessive force are appealing a federal judge's recent ruling allowing authorities to continue using tactics such as tear gas and rubber bullets for crowd dispersal.

Are there still people protesting construction of the pipeline?

Law enforcement records show that such tactics haven't been used since Jan. 19, at a blockaded highway bridge in the area of a protest encampment on federal land in southern North Dakota. The camp has at times housed thousands of protesters who have often clashed with police. It's now home to only a few hundred people and is being cleaned up in advance of spring flooding and a Feb. 22 closing date set by the Army Corps of Engineers.

Many protesters don't plan to leave the area. Cheyenne River chairman Harold Frazier says that tribe is leasing about 25 acres on the Standing Rock Reservation for camps. American Indian activist Chase Iron Eyes also is encouraging a continued presence in the area.

Is the bridge that was damaged by fire open to traffic?

The bridge on U.S. 1806 has been closed since it was damaged by fires Oct. 28. Officials have been working in recent weeks to reopen it in the interest of easing tensions.

Guardrail repairs were completed Friday and temporary asphalt patching was finished Monday, at a total cost of about $10,000, according to Department of Transportation spokeswoman Jamie Olson. However, it won't be reopened until authorities determine tensions have eased enough to warrant it, said Morton County sheriff's spokesman Rob Keller.

The Transportation Department on Monday did reopen 8 miles of an 18-mile closed stretch of the highway, "allowing farmers, ranchers, people who have business down there to have more freedom of travel," Keller said.

What's the price tag for law enforcement related to the Dakota Access pipeline protest?

Law enforcement continues to maintain a heavy presence in the area despite the fading of protests.

New figures from the state show the law enforcement response over the past half-year has involved officers from 10 states, resulted in 705 arrests and cost taxpayers $33 million — $25 million for officer pay, $3.6 million for travel and lodging, and $4.3 million for equipment and supplies.

The data show that 92 percent of the 660 people who have been arrested are not from North Dakota.

Jerry DeFelice
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Jerome.DeFelice@fema.dhs.gov



From: Greff, Stacie
Sent: 1 Feb 2017 00:01:54 +0000
To: DeFelice, Jerome;Dombrowski, Justin
Subject: RE: Clip: ND and DAPL

Who carried the editorial? You don't mention the news source.

From: DeFelice, Jerome
Sent: Tuesday, January 31, 2017 8:37 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: Clip: ND and DAPL

Feds should pick up ticket for DAPL protest protection

Editorials

Jan 29, 2017

dropped out of national media quite a bit, the Dakota Access pipeline protest is continuing and will perhaps find itself renewed in one form or another in light of President Donald Trump's green lighting efforts. In fact, one can almost count on reinvigorated resistance of some kind given the president's fingerprints on the issue.

Continued and potentially expanded protest will require additional resources to provide for the safety of the protesters.

The federal government started this problem and it should pay for cleaning up its mess.

The previous administration opted to play politics with Dakota Access, intervening in a lawful, proper process to appease its radical anti-capitalist base and to continue to prosecute its identity politics agenda. It was pure, if utterly cynical politics, equivocation that inspired protesters and eventually rioters and acts of violence and terror.

As a result, the state and regional government entities are stuck carrying the bag. It's the political equivalent of an unfunded mandate.

While the current administration did not initiate this problem and seems inclined to want to defuse the whole situation by turning it back to the reasoned, regulatory system, the expense issue remains.

This is a federal government-instigated problem and the federal government should pony up and pay for the results.

Jerry DeFelice
External Affairs
FEMA Region VIII, Denver
303-235-4948
303-941-5088 cell
Jerome.DeFelice@fema.dhs.gov


WEATHER THE STORM
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ALERTS
SAFETY TIPS
SHELTERS
PHOTOS
Download on the App Store
GET IT ON Google Play

From: DeFelice, Jerome
Sent: 1 Feb 2017 12:58:42 -0500
To: Greff, Stacie
Subject: RE: Clip: ND and DAPL

Oops. Minot Daily News.

From: Greff, Stacie
Sent: Tuesday, January 31, 2017 5:02 PM
To: DeFelice, Jerome <Jerome.DeFelice@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: RE: Clip: ND and DAPL

Who carried the editorial? You don't mention the news source.

From: DeFelice, Jerome
Sent: Tuesday, January 31, 2017 8:37 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: Clip: ND and DAPL

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Jerry DeFelice
External Affairs
FEMA Region VIII, Denver
303-235-4948

303-941-5088 cell
Jerome.DeFelice@fema.dhs.gov



From: Greff, Stacie
Sent: 14 Mar 2017 19:18:48 +0000
To: Dombrowski, Justin;DeFelice, Jerome
Subject: RE: FEMA-State PIO Coordination Call

Like just state briefs on agenda, but appreciate awareness for us (not listed on agenda) key topics expected.

From: Dombrowski, Justin
Sent: Tuesday, March 14, 2017 1:13 PM
To: DeFelice, Jerome <Jerome.DeFelice@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: FEMA-State PIO Coordination Call

Thanks Jerry, added/made a few minor edits in red (do you usually put a comma and space for the # after the pin?).

There may be some new news on hiring of vice-Ricky and IM cores but would not list it in the agenda but maybe raise if we have some good info…

From: DeFelice, Jerome
Sent: Tuesday, March 14, 2017 12:47 PM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: FW: FEMA-State PIO Coordination Call

Please review and I'll send out as an invite. Not sure about agenda items.

Looks like we'll have Micki, Joe, Tony and Kelly. Waiting to hear from Cecily.
Micki—Colo flood/wildfire awareness week
Joe—upcoming ShakeOut
Kelly—JIC activation for eclipse
Cecily—DAPL JIC

Thanks,
Jerry

****

Hello All—

Please join us for the State PIO—FEMA Region VIII coordination call. Call-in information and tentative agenda follows. We look forward to hearing from you!

Friday March 17
11:00 a.m.-12:00 p.m., MOUNTAIN
Dial-in: (b)(6) Pin (b)(6)

Agenda

Welcome – Stacie Greff

State reports:

Region VIII reports:

- Introduce new R8 staff, Justin Dombrowski and Lynn Kimbrough
- Flood Awareness, States and FEMA

From: Dombrowski, Justin
Sent: 23 Feb 2017 17:21:32 -0500
To: Greff, Stacie
Subject: RE: Lamont

Good deal, hope it stays this way...

Sent from my mobile device.

From: Greff, Stacie
Sent: Thursday, February 23, 2017 2:20:04 PM
To: Dombrowski, Justin
Subject: FW: Lamont

Fysa

Sent from my iFEMA mobile device.

From: Floyd, Megan
Sent: Thursday, February 23, 2017 10:13:05 PM
To: Greff, Stacie
Subject: RE: Lamont

No. Things have been as peaceful as I think we could have hoped for. The few arrests haven't been violent (at least that I have heard about) and the burning of the structures was a ceremony end to the camp. Things could have gotten really bad, but overall, this has been a decent process.

It does look like there will be a protest/camp in DC in March to protest the DAPL but I haven't seen anything from a good source yet.

From: Greff, Stacie
Sent: Thursday, February 23, 2017 3:09 PM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: Lamont

Anything additional from your end that was missed?

Sent from my iFEMA mobile device.

From: Floyd, Megan
Sent: 22 Feb 2017 17:37:30 -0500
To: FEMA-MOC-DENVER;Hudson, Lamont;Greff, Stacie
Cc: Sterling, Stephen;Root, Michael
Subject: RE: ND Update #2

Thanks.

We have been monitoring social and mainstream media from the JIC and we are see the same thing. Per social media, some of these arrests were planned so it isn't surprising. Hopefully things stay non-violent.

M.

From: FEMA-MOC-DENVER
Sent: Wednesday, February 22, 2017 3:29 PM
To: Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Cc: Sterling, Stephen <Stephen.Sterling@fema.dhs.gov>; Root, Michael <Michael.Root@fema.dhs.gov>; FEMA-MOC-DENVER <FEMA-MOC-DENVER@fema.dhs.gov>
Subject: ND Update #2

All,

Looks like some arrests may beginning per some twitter feed.

Sources:
https://www.rt.com/usa/378331-police-remove-final-dapl-protesters/
https://twitter.com/AP?ref_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor

Elizabeth Nakai
Operations Watch Officer
Denver MERS Operations Center &
FEMA Alternate Operations Center – West
800-311-7021

From: FEMA-MOC-DENVER
Sent: Wednesday, February 22, 2017 1:00 PM
To: Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: ND Update

Good Afternoon,

Just came across a couple items of possible interest involving North Dakota.

The Bismarck Tribune @bistrib · 5m

Protesters have blockaded the camp entrance. Photo by @jmholdman



1

The Bismarck Tribune @bistrib · 23m

Protesters gathered at the entrance to the camp. Photo by Tribune photographer Tom Stromme



2 2 2

R. Shane Gibson
Operations Watch Officer
Denver MERS Operations Center (MOC) &
FEMA Alternate Operations Center – West (FAOC-West)
Fema-moc-denver@fema.dhs.gov
800 311-7021

From: Floyd, Megan
Sent: 22 Feb 2017 17:46:19 -0500
To: Greff, Stacie
Subject: RE: ND Update #2

I had not called yet because I had gotten pulled into something else. I replied to the email letting them know we were also watching. If you want me to call now I can. Sorry. Time keeps getting sucked away.

From: Greff, Stacie
Sent: Wednesday, February 22, 2017 3:43 PM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: FW: ND Update #2

Did you call the moc?

Sent from my iFEMA mobile device.

From: Hudson, Lamont
Sent: Wednesday, February 22, 2017 10:40:40 PM
To: FEMA-MOC-DENVER; Greff, Stacie; Floyd, Megan
Cc: Sterling, Stephen; Root, Michael
Subject: RE: ND Update #2

Thanks for the update Elizabeth.

Respectfully,

Lamont Hudson

DHS/FEMA Region VIII - Logistics
Ordering Unit Lead
Denver Federal Center, Bldg. #20
Office: 303-235-4851
Cell: 303-842-4682
Fax: 303-233-2504

"Teamwork makes the DREAM work."

From: FEMA-MOC-DENVER
Sent: Wednesday, February 22, 2017 3:29 PM
To: Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Cc: Sterling, Stephen <Stephen.Sterling@fema.dhs.gov>; Root, Michael

<Michael.Root@fema.dhs.gov>; FEMA-MOC-DENVER <FEMA-MOC-DENVER@fema.dhs.gov>
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https://www.rt.com/usa/378331-police-remove-final-dapl-protesters/
https://twitter.com/AP?ref_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor

Elizabeth Nakai
Operations Watch Officer
Denver MERS Operations Center &
FEMA Alternate Operations Center – West
800-311-7021

From: FEMA-MOC-DENVER
Sent: Wednesday, February 22, 2017 1:00 PM
To: Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: ND Update

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The Bismarck Tribune @bistrib · 5m

Protesters have blockaded the camp entrance. Photo by @jmholdman



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The Bismarck Tribune @bistrib · 23m

Protesters gathered at the entrance to the camp. Photo by Tribune photographer Tom Stromme



2 2 2

R. Shane Gibson
Operations Watch Officer
Denver MERS Operations Center (MOC) &
FEMA Alternate Operations Center – West (FAOC-West)
Fema-moc-denver@fema.dhs.gov
800 311-7021

From: Greff, Stacie
Sent: 3 Feb 2017 16:51:46 +0000
To: Floyd, Megan
Subject: RE: Pipeline video

Just use your judgement. It's good.

From: Floyd, Megan
Sent: Friday, February 03, 2017 9:51 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: Pipeline video

Thank you.

How much do you want me to be sending? Do you want me to be looking at these kinds of link or just keep it short and simple…. They are clearing the protest sites?

From: Greff, Stacie
Sent: Friday, February 03, 2017 9:42 AM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Cc: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: FW: Pipeline video

Dennis mentioned at 915. Ensuring you see these since sent to leaderhship

---

From: Fisher, Dennis
Sent: Friday, February 03, 2017 9:32 AM
To: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Cc: Depalo, Lee <lee.depalo@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Subject: Pipeline video

Good Morning Stacie and Justin,

Couple of links on the protest from KFYR Bismarck,

http://www.kfyrtv.com/content/news/Cleanup-continues-at-the-Oceti-Sakowin-protest-camp-412609283.html

http://www.kfyrtv.com/content/news/Standing-Rock-Sioux-Tribe-says-they-are-not-associated-with-DAPL-protesters-who-attempted-to-establish-new-camp-412494563.html

Maybe it's over,

Dennis Fisher
Incident Support Branch Chief
RRCC-Workforce Management-Emergency Communications

DHS/FEMA Region VIII
Response Division
DFC Building 710
Denver, CO 80225

dennis.fisher@fema.dhs.gov

303-235-4736
303-808-0033

From: DeFelice, Jerome
Sent: 15 Feb 2017 13:59:08 -0500
To: Welch, Randy
Cc: Greff, Stacie;Green, Daniel
Subject: RE: South Dakota state and congressional bios attached

FYI—other than the recent declaration, no nothing in the news of note. Rapid City Journal has followed the DAPL issue closely.

From: Welch, Randy
Sent: Wednesday, February 15, 2017 11:56 AM
To: DeFelice, Jerome <Jerome.DeFelice@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Green, Daniel <daniel.green3@fema.dhs.gov>
Subject: FW: South Dakota state and congressional bios attached

Here is what I sent both Nancys and John Huss earlier; we also sent some demographic information, which I will forward next.

Randy Welch
FEMA Region VIII External Affairs
(303) 235-4619

From: Welch, Randy
Sent: Thursday, February 02, 2017 4:08 PM
To: Casper, Nancy <Nancy.Casper@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Huss, Jon <jon.huss@fema.dhs.gov>; Knapp, Nathan <nathan.knapp@fema.dhs.gov>
Cc: Green, Daniel <daniel.green3@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: South Dakota state and congressional bios attached

Bios attached are:

- Governor Dennis Daugaard (R: parents are deaf; the governor can do American Sign Language)
- Senior Senator John Thune (chair of Senate Republican Conference, third-ranking Republican Senator)
- Senator Mike Rounds (R: home town is Pierre… former governor… brother Steve's marina badly damaged in 2011 Missouri River flood and Steve resented getting no government grant after a disaster he felt was caused by the Corps; he did have an NFIP policy)
- Rep. Kristi Noem (R: likely candidate for governor in two years, as Daugaard is term-limited)
- Tina Titze, director of the Office of Emergency Management (former Ops chief)
- Kristi Turman, Division Director of the Department of Emergency Services (former OEM director that we worked with very well on several disasters… DES includes OEM, the fire marshal's office, and I believe the Office of Emergency Medical Services, plus Communications Director Tony Mangan for all those… Per the Department of Public Safety's org chart, Turman is parallel with the division directors of the Division of Highway Patrol, the Division of Administration and Grant Oversight, and the Division of Legal and Regulatory Services. They are all headed by Cabinet Secretary Trevor Jones of the Department of Public Safety.)

Randy Welch
FEMA Region VIII External Affairs
(303) 235-4619

From: Dragani, Nancy
Sent: 25 Jan 2017 16:39:13 -0500
To: Hudson, Lamont;FEMA-MOC-DENVER;Depalo, Lee;Deal, Timothy;Greff, Stacie
Cc: Garcia, Maria;robkeller@nd.gov
Subject: RE: Standing Rock/DAPL update

Thanks Lamont.

Nancy

From: Hudson, Lamont
Sent: Wednesday, January 25, 2017 12:01 PM
To: FEMA-MOC-DENVER <FEMA-MOC-DENVER@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Depalo, Lee <lee.depalo@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Cc: Garcia, Maria <maria.garcia@fema.dhs.gov>; (b)(6) @nd.gov
Subject: Standing Rock/DAPL update

Hi All,

I spoke with Rob Keller, the North Dakota Public Information Officer earlier this morning and he gave me some sources for information relating to the Standing Rock Protests that are currently on day 169.

As the Denver MOC indicated earlier, there is no rioting taking place and there haven't been a substantial amount of arrests since 1/19, shortly after the Martin Luther King Holiday.

If you wish to learn more information and seek situation updates on the Standing Rock/Dakota Access Pipeline Protests, please see the links below:

http://www.ndresponse.gov/

http://www.valleynewslive.com/content/news/Morton-County-Sheriffs-Department-releases-Know-the-Truth-videos-on-DAPL-protests-403483796.html

Respectfully,

Lamont Hudson

DHS/FEMA Region VIII - Logistics
Ordering Unit Lead
Denver Federal Center, Bldg. #20
Office: 303-235-4851
Cell: 303-842-4682
Fax: 303-233-2504

"Teamwork makes the DREAM work."

From: Floyd, Megan
Sent: 25 Jan 2017 13:27:23 -0500
To: Greff, Stacie
Subject: RE: Status of ND Protests

Sounds good. See you later this afternoon.

From: Greff, Stacie
Sent: Wednesday, January 25, 2017 11:27 AM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Cc: Stephenson, James R <James.Stephenson@fema.dhs.gov>
Subject: RE: Status of ND Protests

Thx. Ricky and I wrapping review. We are good here. I called HQ to get clarification as to the "rioting" I can follow up more later than that you when you are here.

Sent from my iFEMA mobile device.

From: Floyd, Megan
Sent: Wednesday, January 25, 2017 5:54:21 PM
To: Greff, Stacie
Cc: Stephenson, James R
Subject: Status of ND Protests

Current Status of Protests:

- Current estimates are about 500 people – not all tribal members or from Standing Rock.
- Standing Rock Leadership had a unanimous vote last week to ask the protestors to clean up and vacate the camps. There are concerns about spring flooding as well as the strain on the resources for the local Cannonball community. Governor in ND is supportive of this action.
- Tribal Leaders from across SD and ND have reiterated their support for the protests.

Reponses from the State and Tribe regarding the President Trump's executive action on Dakota Access Pipeline

Portion of the ND Governor's Press Release 1.24.2017: "As the legal and political process continues to unfold, we remain squarely focused on life safety and protecting all citizens, including the protesters still camped in a flood zone in southern Morton County," Burgum said. "We strongly support the Standing Rock Tribal Council's unanimous vote Friday asking those remaining at the camps to vacate the area and head home to allow cleanup to happen before spring flooding begins. While we support free speech and the right to peacefully protest, we are concerned about safety due to flooding and ongoing violent protests, including last Wednesday's incident on the Backwater Bridge that resulted in 21 arrests."

Statement from Chairman Archambault 1.24.2017: "We are not opposed to the energy independence. We are opposed trot reckless and politically motivates development projects, like DAPL, that ignore our treaty rights and risk our water. Creating a second Flint does not make American Great Again"

Source: Social Media, Press Releases and Media

Megan Floyd
FEMA Region VIII
(303) 235-4638 Desk
(303) 945-6367 Cell
megan.floyd@fema.dhs.gov

From: DeFelice, Jerome
Sent: 9 Dec 2016 11:00:43 -0500
To: R8 ALL PFTs-CORES
Cc: Gally, Marilyn;Trost, (b)(6) @state.co.us (b)(6) @mail.mil; (b)(6) @mail.mil; (b)(6) @nd.gov (b)(6) @state.sd.us (b)(6) @state.sd.us (b)(6) @utah.gov; (b)(6) @wyo.gov; (b)(6) @acf.hhs.gov (b)(6) @usace.army.mil; (b)(6) @usace.army.mil; (b)(6) @state.mn.us;Peterson, Mark J; (b)(6) @hhs.gov; (b)(6) @hhs.gov; (b)(6) @hhs.gov; (b)(6) @sba.gov; (b)(6) @sba.gov;Nelson, Jason; (b)(6) @fs.fed.us;Alexander, Daniel
Subject: Region VIII News Clips, Friday, December 9
Attachments: R8 Clips 12-09-16.docx

Region VIII Clips

Friday, December 9, 2016

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SOUTH DAKOTA:

UTAH:

Ground broken for new Sonrise church **Iron County Today** (FEMA mention.)

WYOMING:

FEMA-RELATED STORIES
You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

STORIES

COLORADO:

Concerns being raised during peer reviews of hydrology study

By David Persons
Trail-Gazette

POSTED: 12/08/2016 01:35:54 PM MST

Professional feedback on the first draft of the recently-completed hydrology study is trickling in and some serious questions are being raised as a result.

The Town of Estes Park and Wright Water Engineers, the authors of the study, had planned to release the study to the public in October. But, after getting some comments and questions from local professionals as part of the peer review process, that release was put off until Dec. 14. It was then rescheduled for some time in early 2017 as officials work to answer the questions being raised.

Bill Van Horn, a long-time resident and licensed engineer and surveyor who currently is a consultant to Van Horn Engineering and Surveying, is one of the local professionals who has been asked to study the hydrology work and comment on it.

In a recent conversation with the Trail-Gazette, Van Horn said after reviewing the first draft of the study, he had serious concerns regarding the information used to gather the results which prompted him to submit a list of questions to the town for further review.

"I expect to receive word back from the town regarding the questions this month," Van Horn said.

Van Horn added that the first draft has also been reviewed by Van Horn Engineering and another independent party who have raised questions as well.

Although he wouldn't be specific about his questions, Van Horn said he is greatly concerned as to the impact that this study will have on the town if left in its current state. Specifically, he singled out insurance rates and the economic impact.

Town officials confirmed Wednesday that they have received Van Horn's questions and are reviewing them.

"We have received comments from several of these local stakeholders, including Mr. Van Horn, and we will be discussing responses provided by Wright Water Engineers with them soon," said Estes Park Public Information Officer Kate Rusch on Wednesday. "Once the report is finalized and receives a final review from FEMA, we will schedule a public meeting in early 2017.

"Exact dates for these steps have not been determined yet because the hydrology study itself is being revised to reflect comments from the formal peer review process. When we have the final report and FEMA has been able to review the data again, we will schedule those discussions and the public meeting.

"We have received positive comments from the State of Colorado and FEMA regarding the Town's extensive efforts to ensure a strong report to serve as the basis for future floodplain maps and decisions. Partner agencies have noted the Town's public engagement efforts for this post-flood study have been unprecedented."

Estes Park Town Administrator Frank Lancaster pointed out that the hydrology study is still in draft form and undergoing updates based the peer reviews. He called the peer reviews "a necessary and expected part" of the study process.

"Many of the changes being made to the first draft also address questions raised by local stakeholder reviewers like Mr. Van Horn," Lancaster said. "We appreciate their comments and expertise.

"This study is the foundation moving forward for flood mapping, flood insurance ratings, and for any future flood mitigation projects, so we are taking the necessary time and making sure the results are accurate and solid."

When the hydrology study is publicly released early next year, Wright Water Engineers, will make a presentation and be available to answer both general and technical questions. Staff

from the Colorado Water Conservation Board will discuss preliminary floodplain maps and staff from the Colorado Resiliency and Recovery Office will be in attendance to answer questions.

The presentation will include a scientific study of the Big Thompson River, Black Canyon Creek, Dry Gulch, and Fall River. Other topics to be discussed will be a preliminary map of new floodplain boundaries in the downtown area and how this study impacts floodplain management.

MONTANA:

NORTH DAKOTA:

ND governor says pipeline company 'abdicated' role in defending project

By Patrick Springer on Dec 8, 2016 at 5:21 p.m.

Dalrymple also said in a meeting Thursday, Dec. 8, the sprawling protest presence near Cannon Ball, N.D., operates outside the control of the Standing Rock Sioux Tribe and it is difficult for officials to identify a clear leader in the shape-shifting movement.

- **Latest: It's transition time at protest camps as people start leaving**
- **Complete coverage of the Dakota Access Pipeline protests**

In a wide-ranging conversation about the state's difficulties in dealing with the ongoing protest, Dalrymple expressed frustration that the company building Dakota Access Pipeline, Energy Transfer Partners, has not been vocal in making the case for the project in the public debate.

"They have abdicated completely their responsibility to explain the safety of the pipeline," Dalrymple said, adding that the portion planned to pass under Lake Oahe on the Missouri River will be double-strength, buried more than 90 feet beneath the riverbed and carefully monitored.

"It's as safe a pipe as you can build," the governor said.

"The pipeline is great for our economy," he added, explaining that it could carry half of the oil produced in the Bakken Formation in the state.

- **Man arrested for bomb threat in WF police parking lot**

Native Americans and environmental activists have been protesting to prevent the Dakota Access Pipeline from crossing under Lake Oahe at a point that is just upstream of the Standing Rock Sioux Reservation.

The Obama administration's Army Corps of Engineers announced Sunday, Dec. 4, that it would not grant an easement allowing the pipeline to cross under Lake Oahe, despite granting other permits for the $3.8 billion project designed to carry Bakken crude oil 1,172 miles to a hub in Illinois that provides access to oil refineries near the Gulf Coast.

North Dakota officials have been busy maintaining public safety in the face of a sophisticated public relations operation involving paid protesters, strategic advice from public relations professionals and an "army" of activists posting often misleading information, including "fake news," that has shaped national media coverage, Dalrymple said.

"National media is killing us," the governor said.

"There's a new paradigm," he said, referring to the influence of social media in molding public opinion. "I try to do what I can, but I'm no match for that organization. That's a long-term challenge. That may be going on well after the pipeline is laid."

Some protesters also repeatedly provoked law enforcement officers to try to goad them into a response that would make law enforcement look bad on video that would be widely shared on social media sites, Lt. Gov. Drew Wrigley said.

One notable example came Nov. 20, he said, when protesters refused to back away from a bridge and set fires. When responders used fire hoses to douse the flames, protesters could easily have moved back away from the spray, but didn't, creating a misleading visual representation of the confrontation, Wrigley said.

Wrigley said he and Dalrymple, joined by Col. Michael Gerhart, superintendent of the North Dakota Highway Patrol, and Al Dohrmann, adjutant general of the North Dakota National Guard, as well as Ron Rauschenberger, Dalrymple's chief of staff, watched a live video feed of the confrontation.

- **'It wears on you': Cass County Sheriff reflects on months of intense DAPL protests**

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- LAUREN DONOVAN Bismarck Tribune

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Defending Richland-Wilkin Counties

Fargo will continue bullying their neighbors until someone says no

- JPA Editorial Board, Wahpeton Daily News

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SOUTH DAKOTA:

UTAH:

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by Kelsey Keener Iron County Today Iron County Today
Dec 08, 2016 | 97 views

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COLORADO:

Concerns being raised during peer reviews of hydrology study

By David Persons
Trail-Gazette

POSTED: 12/08/2016 01:35:54 PM MST

Professional feedback on the first draft of the recently-completed hydrology study is trickling in and some serious questions are being raised as a result.

The Town of Estes Park and Wright Water Engineers, the authors of the study, had planned to release the study to the public in October. But, after getting some comments and questions from local professionals as part of the peer review process, that release was put off until Dec. 14. It was then rescheduled for some time in early 2017 as officials work to answer the questions being raised.

Bill Van Horn, a long-time resident and licensed engineer and surveyor who currently is a consultant to Van Horn Engineering and Surveying, is one of the local professionals who has been asked to study the hydrology work and comment on it.

In a recent conversation with the Trail-Gazette, Van Horn said after reviewing the first draft of the study, he had serious concerns regarding the information used to gather the results which prompted him to submit a list of questions to the town for further review.

"I expect to receive word back from the town regarding the questions this month," Van Horn said.

Van Horn added that the first draft has also been reviewed by Van Horn Engineering and another independent party who have raised questions as well.

Although he wouldn't be specific about his questions, Van Horn said he is greatly concerned as to the impact that this study will have on the town if left in its current state. Specifically, he singled out insurance rates and the economic impact.

Town officials confirmed Wednesday that they have received Van Horn's questions and are reviewing them.

"We have received comments from several of these local stakeholders, including Mr. Van Horn, and we will be discussing responses provided by Wright Water Engineers with them soon," said Estes Park Public Information Officer Kate Rusch on Wednesday. "Once the report is finalized and receives a final review from FEMA, we will schedule a public meeting in early 2017.

"Exact dates for these steps have not been determined yet because the hydrology study itself is being revised to reflect comments from the formal peer review process. When we have the final report and FEMA has been able to review the data again, we will schedule those discussions and the public meeting.

"We have received positive comments from the State of Colorado and FEMA regarding the Town's extensive efforts to ensure a strong report to serve as the basis for future floodplain maps and decisions. Partner agencies have noted the Town's public engagement efforts for this post-flood study have been unprecedented."

Estes Park Town Administrator Frank Lancaster pointed out that the hydrology study is still in draft form and undergoing updates based the peer reviews. He called the peer reviews "a necessary and expected part" of the study process.

"Many of the changes being made to the first draft also address questions raised by local stakeholder reviewers like Mr. Van Horn," Lancaster said. "We appreciate their comments and expertise.

"This study is the foundation moving forward for flood mapping, flood insurance ratings, and for any future flood mitigation projects, so we are taking the necessary time and making sure the results are accurate and solid."

When the hydrology study is publicly released early next year, Wright Water Engineers, will make a presentation and be available to answer both general and technical questions. Staff from the Colorado Water Conservation Board will discuss preliminary floodplain maps and staff from the Colorado Resiliency and Recovery Office will be in attendance to answer questions.

The presentation will include a scientific study of the Big Thompson River, Black Canyon Creek, Dry Gulch, and Fall River. Other topics to be discussed will be a preliminary map of new floodplain boundaries in the downtown area and how this study impacts floodplain management.

MONTANA:

NORTH DAKOTA:

ND governor says pipeline company 'abdicated' role in defending project

By Patrick Springer on Dec 8, 2016 at 5:21 p.m.

Dalrymple also said in a meeting Thursday, Dec. 8, the sprawling protest presence near Cannon Ball, N.D., operates outside the control of the Standing Rock Sioux Tribe and it is difficult for officials to identify a clear leader in the shape-shifting movement.

- **Latest: It's transition time at protest camps as people start leaving**
- **Complete coverage of the Dakota Access Pipeline protests**

In a wide-ranging conversation about the state's difficulties in dealing with the ongoing protest, Dalrymple expressed frustration that the company building Dakota Access Pipeline, Energy Transfer Partners, has not been vocal in making the case for the project in the public debate.

"They have abdicated completely their responsibility to explain the safety of the pipeline," Dalrymple said, adding that the portion planned to pass under Lake Oahe on the Missouri River will be double-strength, buried more than 90 feet beneath the riverbed and carefully monitored.

"It's as safe a pipe as you can build," the governor said.

"The pipeline is great for our economy," he added, explaining that it could carry half of the oil produced in the Bakken Formation in the state.

- **Man arrested for bomb threat in WF police parking lot**

Native Americans and environmental activists have been protesting to prevent the Dakota Access Pipeline from crossing under Lake Oahe at a point that is just upstream of the Standing Rock Sioux Reservation.

The Obama administration's Army Corps of Engineers announced Sunday, Dec. 4, that it would not grant an easement allowing the pipeline to cross under Lake Oahe, despite granting other permits for the $3.8 billion project designed to carry Bakken crude oil 1,172 miles to a hub in Illinois that provides access to oil refineries near the Gulf Coast.

North Dakota officials have been busy maintaining public safety in the face of a sophisticated public relations operation involving paid protesters, strategic advice from public relations professionals and an "army" of activists posting often misleading information, including "fake news," that has shaped national media coverage, Dalrymple said.

"National media is killing us," the governor said.

"There's a new paradigm," he said, referring to the influence of social media in molding public opinion. "I try to do what I can, but I'm no match for that organization. That's a long-term challenge. That may be going on well after the pipeline is laid."

Some protesters also repeatedly provoked law enforcement officers to try to goad them into a response that would make law enforcement look bad on video that would be widely shared on social media sites, Lt. Gov. Drew Wrigley said.

One notable example came Nov. 20, he said, when protesters refused to back away from a bridge and set fires. When responders used fire hoses to douse the flames, protesters could easily have moved back away from the spray, but didn't, creating a misleading visual representation of the confrontation, Wrigley said.

Wrigley said he and Dalrymple, joined by Col. Michael Gerhart, superintendent of the North Dakota Highway Patrol, and Al Dohrmann, adjutant general of the North Dakota National Guard, as well as Ron Rauschenberger, Dalrymple's chief of staff, watched a live video feed of the confrontation.

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UTAH:

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by Kelsey Keener Iron County Today
Dec 08, 2016 | 97 views

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WYOMING:

FEMA-RELATED STORIES:

From: DeFelice, Jerome
Sent: 25 Nov 2016 10:49:48 -0500
To: R8 ALL PFTs-CORES
Cc: (b)(6)
(b)(6) @state.co.us; (b)(6) @mail.mil; (b)(6) @mail.mil; (b)(6)
@nd.gov; (b)(6) @state.sd.us (b)(6) @state.sd.us; (b)(6) @utah.gov (b)(6) @wyo.go
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(b)(6) @state.mn.us;Peterson, Mark
J; (b)(6) @hhs.gov (b)(6) @hhs.gov; (b)(6) @hhs.gov; (b)(6) @sba.go
v; (b)(6) @sba.gov;Nelson, Jason; (b)(6) @fs.fed.us;Alexander, Daniel
Subject: Region VIII News Clips, Friday, November 25
Attachments: R8 Clips 11-25-16.docx

Region VIII Clips

Friday, November 25, 2016

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Weather Apps To Download And Store Up For Winter New York Times

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DES to request additional $7 million for DAPL response

- NICK SMITH Bismarck Tribune

North Dakota Emergency Commission members began the month of November by approving state funds for addressing law enforcement costs relating to Dakota Access Pipeline protests and it will end the month on the same note.

Commission members, on Wednesday, will be facing a request to increase a line of credit by $7 million. If approved, that would bring the total amount of money available to the North Dakota Department of Emergency Services to $17 million.

DES spokeswoman Cecily Fong said, as of this week, more than $11.8 million has been spent to address the ongoing protest movement in southern Morton County.

Opponents of the Dakota Access Pipeline have argued that, if the pipeline goes under the Missouri River less than a mile from the Standing Rock Sioux Tribe's reservation boundary as planned, it could endanger the water supply for millions of people.

Demonstrations in the region have led to more than 500 arrests since August and required the assistance of law enforcement throughout North Dakota and surrounding states, leading to the $17 million in requests.

Of the money spent so far, $9.5 million has been in personnel costs to agencies, $1.58 million in equipment and supplies and the remaining $737,000 in personnel support.

“As other agencies incur costs, they keep us appraised,” DES spokeswoman Cecily Fong said.

Six agencies are requesting the funds through the DES to offset costs related to protests of the Dakota Access Pipeline. Each exceeds a $50,000 threshold and will require Budget Section approval. The Budget Section meets Dec. 7, following the end of a three-day organizational session of the Legislature.

“I don’t think it’s going to be the last numbers we see unless something drastically changes,” said Emergency Commission member Rep. Al Carlson, R-Fargo. “It’s one of those things you have to prioritize, and we’ll have to do it.”

Carlson once again said the federal government should be ponying up dollars and resources to offset state costs incurred from a situation that involves federal land.

“It’s a little disturbing, the lack of federal support,” said Carlson, who expects the federal response to be more forthcoming after President-elect Donald Trump takes office in January.

“Our law enforcement is doing a terrific job,” Emergency Commission member Sen. Rich Wardner, R-Dickinson, said.

The state’s Disaster Relief Fund should be an option for offsetting the costs, according to Wardner.

“This is a disaster,” he said of the situation.

Regardless of the cost, Wardner said the pressure on the federal government to help cover costs will continue.

Agency needs

The largest request is from the North Dakota Highway Patrol, for $3.9 million in additional spending authority for its operations in responding to protesters. The authority would run through March 31 and includes overtime pay, meals, lodging, mileage and supplies.

Funding requested by the North Dakota Department of Health totals more than $2.5 million. This would offset costs of medical response and food services for law enforcement as well as first responders.

Nearly half of the $200,500 for the North Dakota Game and Fish Department is for supplies, overtime pay as well as costs relating to use of planes and boats at the scene of protests.

North Dakota Department of Transportation dollars total $162,350 in its request. Of the request, $30,025 is related to damages to infrastructure, including a bridge, roadways and guardrails.

(Reach Nick Smith at 701-250-8255 or 701-223-8482 or at nick.smith@bismarcktribune.com.)

Flood Protection System Gives Grand Forks Security, But Expert Says Flooding Is A Possibility

By John Hageman
Forum of Fargo-Moorhead (ND), November 23, 2016

GRAND FORKS — Steve Gander has lived through a handful of major floods in the Grand Forks area, including the record 1997 Red River flood that decimated the two communities bordering the sleepy river.

But two decades later, Gander isn't concerned about another similar disaster.

"I probably have about as much worry about the repeat, massive flood through our community as I (worry about) a piano falling on my head," the incoming mayor of East Grand Forks said.

The 1997 flood, often referred to simply as "The Flood" by locals, was disastrous enough that some believed Grand Forks and East Grand Forks would simply die off, Gander said. But it also resulted in the construction of a massive flood protection project that gives people like Gander confidence the two cities could fight off another major flood.

So far, they've been right. Historically high river crests in recent years have been quelled without the same efforts of past flood fights, when residents rallied to fill sandbags to block the rising waters from reaching their homes.

But could Grand Forks be flooded again? Greg Gust, a warning coordination meteorologist with the National Weather Service in Grand Forks, said it's "physically possible" there would be a large enough flood to overwhelm the protection system in place today. That would depend on a number of factors, including the timing of crests from the Red Lake and the Red rivers, which meet just south of DeMers Avenue, as well as the amount of local rainfall, he said.

"Those things are not way outside the line of reason," Gust said.

Officials from the cities of Grand Forks and East Grand Forks, however, appear comfortable with the level of protection the city now has.

Mark Walker, Grand Forks' assistant city engineer, said the city's flood protection system was designed to handle a repeat of the 1997 flood. It also accounts for some "uncertainty," waves and ice blockage that could come into play, he said.

"Could it handle something greater? Yeah, it could," Walker said. "But the higher you get, the more concerning it would be that you're getting closer to the tops of the levees."

The top of the Grand Forks levee is almost 6 feet above the record river crest of about 54 feet set April 22, 1997, and the the top of the floodwalls are almost 9 feet above that level. A Grand Forks fact sheet said the city could successfully fight a 500-year flood by adding clay on the top of the levees.

Ken Vein, who was Grand Forks' engineer and public works director during the flood and who now is a Grand Forks City Council member, said there's a "night-and-day" difference between the protection in place today and before the flood. Residents today are "far less concerned" about the possibility of a flood than they were in the past, he said.

"We've had some floods of significance where people haven't even realized it's going on," Vein said.

'Built to flood'

On April 18, 1997, Grand Forks ordered the evacuation of the Lincoln Park neighborhood as "boils" appeared in the levee. Riverside and Central Park neighborhoods also were evacuated that day, as was the Point in East Grand Forks after the levee there was breached.

The Red River continued to rise for a few days, ultimately cresting at a record 54.35 feet, 4 feet higher than the previous record reached 100 years before. News reports pegged the damage to Grand Forks and East Grand Forks at about $2 billion.

But the seeds of that disaster were planted months before.

"It generally takes more than one year to produce a really big flood," Gust said. "It's usually the year before that has set the stage by having so much excess water in the system."

A recent flood plan from the Federal Emergency Management Agency states that the Red River Valley has the greatest potential for a catastrophic flooding when a number of factors are in place: greater than normal liquid precipitation in September and October, deep frost penetration before the

first major snow, greater than normal snowfall in the winter, below normal temperatures in March and early April followed by rapid warming, and greater than normal liquid precipitation during the spring snowmelt.

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Recent history has shown the river to be especially flood-prone. Six of the 10 highest river crests at Grand Forks occurred between 1996 and 2011, according to the National Weather Service.

"This valley is built to flood," Gust said.

The penchant for springtime disasters contrasts with the natural beauty the river offers. Gander called it "a little piece of wilderness running through your town" that provides its residents with plenty of recreational opportunities.

"It was almost like an old friendly dog that sat at your feet, but then one day it stood up and bit you," he said. "But many of us said, 'We love this community, we love this area, and if we sort of tame this river, we can turn it back into a friend, an asset.'"

'No concern'

Pat Grinde lives just down the street from a grassy hillside that separates her neighborhood from the Red River, near Riverside Park on Grand Forks' north side.

It was two decades ago that the Red River flood left an inch of water in the main floor of her home. But now she says she never worries about the possibility of another flood. She pointed to the system of levees, floodwalls and water pumps protecting her neighborhood and the rest of the city from such a disaster.

"I have absolutely no concern about the river ever topping the system that they've got here in Grand Forks," she said.

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Project Updates // November 24, 2016

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SOUTH DAKOTA:

Lake Oahe salmon fishery still rebuilding after flood

- By Nick Lowrey Nick.lowrey@capjournal.com
- Updated 16 hrs ago

With a little help from their friends, the South Dakota Game, Fish and Parks Department was able to secure enough salmon eggs to have a good hope of meeting the 2017 stocking goal.

The department hopes to release around 300,000 salmon into Lake Oahe next year, said Bob Hanten the fisheries biologist that oversees coldwater fish in the lake. That's about 254,000 more salmon than were released this year.

"We're just trying to bump up our salmon numbers," Hanten said.

Lake Oahe's salmon population has had a rough four years. In 2011 the massive flood flushed thousands of the fish through Oahe Dam and further down the Missouri River. Nebraska set its Chinook salmon state record several times that year. Usually, there are no salmon that far south.

After the flood, Lake Oahe was very low on bait fish, which also were flushed through the dam. So, when salmon were being stocked in 2012 and 2013, they became prime targets for large predator fish such as pike, bass and walleye. That, at least, is what Hanten said he believes happened. There's no way to know for sure.

Bait fish numbers have rebounded since the flood. Lake herring in particular have filled a void left by drastically reduced numbers of rainbow smelt. More baitfish likely means young salmon have a better chance at survival and older salmon have been much healthier and bigger for the last two years.

Still, Hanten said, the overall number of salmon is low. Through a combination of the Whitlock Bay Salmon Spawning Station and electrofishing in 2015, GFP was able to collect around 473,000 eggs. That was far short of the state's goal of around 1 million eggs.

Egg quality was poor too. By the time spring of 2016 rolled around there were just 46,000 salmon to stock.

This fall, GFP was only able to collect 388,265 eggs on it's own. Hanten said. Quality of the eggs looked better, Hanten said. Even in a typical year about one-third of salmon eggs will actually develop into juvenile fish, however.

Luckily both North Dakota and Montana saw solid salmon spawn this year, Hanten said. Those two states and South Dakota work together on their salmon fisheries and North Dakota was able to give South Dakota 351,000 fertilized eggs. Hanten said GFP was able to secure another 125,000 eyed eggs — eggs in which eyes can be see developing — as well this year. About 95 percent of eyed eggs typically develop into juvenile salmon.

"We're in really good shape," Hanten said.

Salmon anglers last summer also reported catching small, "shaker" or young salmon, a development that points to there being more salmon in Lake Oahe, Hanten said.

"That provides us with a little more optimism," he said.

Still, the Lake Oahe salmon fishery has a ways to go before it's back to its post flood condition, Hanten said.

"We're still in a rebuilding phase for the next few years," he said.

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Weather Apps To Download And Store Up For Winter

By Kit Eaton

New York Times, November 23, 2016

LIKE it or not, winter is coming. Apart from layering up, you can turn to your phone to help you brave the rain, wind or snow ahead.

Weather apps are abundant in mobile app stores, and my new favorite is Fire + Rain. Unlike many other weather apps, it keeps weather data simple.

Built on information from the Weather Network, the app's display is streamlined and easy to understand. The screen's color corresponds with the forecast, and the temperature is displayed in large type. Alongside this are a small icon and a simple phrase describing the weather, like "light rain" or "cloudy with showers."

You get, at a glance, everything you need to know about the coming weather where you are. Swipe down the screen to see hourly and daily forecasts; tap to swap between a 36-hour detailed forecast and a two-week forecast. If you see the words "heavy snow" in tomorrow morning's forecast, you'll know to make the necessary preparations tonight. Fire + Rain is free on iOS.

For people who like detailed weather forecasts, there is RainAware. This app belongs to the new breed of weather apps that try to deliver extremely accurate weather data based on the time and your precise location. The app uses GPS to detect where you are, and then it pulls forecast data from its system, including detailed radar scans.

Instead of the typical approximation other weather apps might offer, like "50 percent chance of storms," RainAware has concrete alerts, like "It's going to rain in 30 minutes." The app's radar maps are also neat: They show how rain clouds are moving near you and predict where they will go next, so you can see how the weather is going to change.

RainAware has a lot of features, including a weather clock showing the forecast in 15-minute increments, so it may take some getting used to. But it's an excellent option. It costs $5 on iOS and $4 on Android.

Another app, Storm Radar from Weather Underground, is a source that television weather forecasters consult before they step in front of the camera. This weather app has high-resolution radar maps and storm-tracking algorithms to figure out if you are in the path of a nearby weather event. It even has lightning alerts for a 100-mile radius around your location.

Data on variables like dew point and humidity can be viewed as colored patterns on a map, or as graphs or charts. You can also get highly localized weather alerts — for example, the app told me there were two "coastal event" alerts as high winds and high tides threatened the seafront zone near my home. If you prefer a text-based forecast, Storm Radar offers that too.

There is a lot to discover in this app, and if you plan to use it you may need to spend some time on Google to get a full understanding of what all the data means. But it is free on iOS, and its interface is both attractive and easy to interact with.

MeteoEarth, another scientific weather forecast app, shows animated maps that contain a wealth of forecasting information for your location. The maps can show data on rainfall, wind, temperature and pressure, and can even track tropical storms. The app also offers access to live weather webcams around the world that give a sense of the conditions in a particular location. MeteoEarth takes some figuring out, but its slick graphical interface is satisfying to use. It's free on iOS and Android.

Lastly, it may be worth keeping the free FEMA app (iOS, Android) on your phone in case your home is subjected to the worst of the winter weather. In addition to an alert system from the National Weather Service, the app offers guidance about what to do before, during and after a disaster.

The naturalist Sir David Attenborough has been making television programs about the wonders of life for 60 years, and now over 1,000 clips from his body of work are available in a new app: Attenborough's Story of Life (free on iOS, Android). Browse it with your children and enjoy learning about nature from the soothing voice of Sir David himself.

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DES to request additional $7 million for DAPL response

- NICK SMITH Bismarck Tribune

North Dakota Emergency Commission members began the month of November by approving state funds for addressing law enforcement costs relating to Dakota Access Pipeline protests and it will end the month on the same note.

Commission members, on Wednesday, will be facing a request to increase a line of credit by $7 million. If approved, that would bring the total amount of money available to the North Dakota Department of Emergency Services to $17 million.

DES spokeswoman Cecily Fong said, as of this week, more than $11.8 million has been spent to address the ongoing protest movement in southern Morton County.

Opponents of the Dakota Access Pipeline have argued that, if the pipeline goes under the Missouri River less than a mile from the Standing Rock Sioux Tribe's reservation boundary as planned, it could endanger the water supply for millions of people.

Demonstrations in the region have led to more than 500 arrests since August and required the assistance of law enforcement throughout North Dakota and surrounding states, leading to the $17 million in requests.

Of the money spent so far, $9.5 million has been in personnel costs to agencies, $1.58 million in equipment and supplies and the remaining $737,000 in personnel support.

"As other agencies incur costs, they keep us appraised," DES spokeswoman Cecily Fong said.

Six agencies are requesting the funds through the DES to offset costs related to protests of the Dakota Access Pipeline. Each exceeds a $50,000 threshold and will require Budget Section approval. The Budget Section meets Dec. 7, following the end of a three-day organizational session of the Legislature.

"I don't think it's going to be the last numbers we see unless something drastically changes," said Emergency Commission member Rep. Al Carlson, R-Fargo. "It's one of those things you have to prioritize, and we'll have to do it."

Carlson once again said the federal government should be ponying up dollars and resources to offset state costs incurred from a situation that involves federal land.

"It's a little disturbing, the lack of federal support," said Carlson, who expects the federal response to be more forthcoming after President-elect Donald Trump takes office in January.

"Our law enforcement is doing a terrific job," Emergency Commission member Sen. Rich Wardner, R-Dickinson, said.

The state's Disaster Relief Fund should be an option for offsetting the costs, according to Wardner.

"This is a disaster," he said of the situation.

Regardless of the cost, Wardner said the pressure on the federal government to help cover costs will continue.

Agency needs

The largest request is from the North Dakota Highway Patrol, for $3.9 million in additional spending authority for its operations in responding to protesters. The authority would run through March 31 and includes overtime pay, meals, lodging, mileage and supplies.

Funding requested by the North Dakota Department of Health totals more than $2.5 million. This would offset costs of medical response and food services for law enforcement as well as first responders.

Nearly half of the $200,500 for the North Dakota Game and Fish Department is for supplies, overtime pay as well as costs relating to use of planes and boats at the scene of protests.

North Dakota Department of Transportation dollars total $162,350 in its request. Of the request, $30,025 is related to damages to infrastructure, including a bridge, roadways and guardrails.

(Reach Nick Smith at 701-250-8255 or 701-223-8482 or at nick.smith@bismarcktribune.com.)

Flood Protection System Gives Grand Forks Security, But Expert Says Flooding Is A Possibility

By John Hageman

Forum of Fargo-Moorhead (ND), November 23, 2016

GRAND FORKS — Steve Gander has lived through a handful of major floods in the Grand Forks area, including the record 1997 Red River flood that decimated the two communities bordering the sleepy river.

But two decades later, Gander isn't concerned about another similar disaster.

"I probably have about as much worry about the repeat, massive flood through our community as I (worry about) a piano falling on my head," the incoming mayor of East Grand Forks said.

The 1997 flood, often referred to simply as "The Flood" by locals, was disastrous enough that some believed Grand Forks and East Grand Forks would simply die off, Gander said. But it also resulted in the construction of a massive flood protection project that gives people like Gander confidence the two cities could fight off another major flood.

So far, they've been right. Historically high river crests in recent years have been quelled without the same efforts of past flood fights, when residents rallied to fill sandbags to block the rising waters from reaching their homes.

But could Grand Forks be flooded again? Greg Gust, a warning coordination meteorologist with the National Weather Service in Grand Forks, said it's "physically possible" there would be a large enough

flood to overwhelm the protection system in place today. That would depend on a number of factors, including the timing of crests from the Red Lake and the Red rivers, which meet just south of DeMers Avenue, as well as the amount of local rainfall, he said.

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Weather Apps To Download And Store Up For Winter

By Kit Eaton

New York Times, November 23, 2016

LIKE it or not, winter is coming. Apart from layering up, you can turn to your phone to help you brave the rain, wind or snow ahead.

Weather apps are abundant in mobile app stores, and my new favorite is Fire + Rain. Unlike many other weather apps, it keeps weather data simple.

Built on information from the Weather Network, the app's display is streamlined and easy to understand. The screen's color corresponds with the forecast, and the temperature is displayed in large type. Alongside this are a small icon and a simple phrase describing the weather, like "light rain" or "cloudy with showers."

You get, at a glance, everything you need to know about the coming weather where you are. Swipe down the screen to see hourly and daily forecasts; tap to swap between a 36-hour detailed forecast and a two-week forecast. If you see the words "heavy snow" in tomorrow morning's forecast, you'll know to make the necessary preparations tonight. Fire + Rain is free on iOS.

For people who like detailed weather forecasts, there is RainAware. This app belongs to the new breed of weather apps that try to deliver extremely accurate weather data based on the time and your precise location. The app uses GPS to detect where you are, and then it pulls forecast data from its system, including detailed radar scans.

Instead of the typical approximation other weather apps might offer, like "50 percent chance of storms," RainAware has concrete alerts, like "It's going to rain in 30 minutes." The app's radar maps are also neat: They show how rain clouds are moving near you and predict where they will go next, so you can see how the weather is going to change.

RainAware has a lot of features, including a weather clock showing the forecast in 15-minute increments, so it may take some getting used to. But it's an excellent option. It costs $5 on iOS and $4 on Android.

Another app, Storm Radar from Weather Underground, is a source that television weather forecasters consult before they step in front of the camera. This weather app has high-resolution radar maps and storm-tracking algorithms to figure out if you are in the path of a nearby weather event. It even has lightning alerts for a 100-mile radius around your location.

Data on variables like dew point and humidity can be viewed as colored patterns on a map, or as graphs or charts. You can also get highly localized weather alerts — for example, the app told me there were two "coastal event" alerts as high winds and high tides threatened the seafront zone near my home. If you prefer a text-based forecast, Storm Radar offers that too.

There is a lot to discover in this app, and if you plan to use it you may need to spend some time on Google to get a full understanding of what all the data means. But it is free on iOS, and its interface is both attractive and easy to interact with.

MeteoEarth, another scientific weather forecast app, shows animated maps that contain a wealth of forecasting information for your location. The maps can show data on rainfall, wind, temperature and pressure, and can even track tropical storms. The app also offers access to live weather webcams around the world that give a sense of the conditions in a particular location. MeteoEarth takes some figuring out, but its slick graphical interface is satisfying to use. It's free on iOS and Android.

Lastly, it may be worth keeping the free FEMA app (iOS, Android) on your phone in case your home is subjected to the worst of the winter weather. In addition to an alert system from the National Weather Service, the app offers guidance about what to do before, during and after a disaster.

The naturalist Sir David Attenborough has been making television programs about the wonders of life for 60 years, and now over 1,000 clips from his body of work are available in a new app:

Attenborough's Story of Life (free on iOS, Android). Browse it with your children and enjoy learning about nature from the soothing voice of Sir David himself.

From: DeFelice, Jerome
Sent: 19 Dec 2016 12:07:55 -0500
To: R8 ALL PFTs-CORES
Cc: (b)(6) (b)(6)@state.co.us;(b)(6)@mail.mil;(b)(6)@mail.mil;(b)(6)@nd.gov;(b)(6)@state.sd.us;(b)(6)@state.sd.us;(b)(6)@utah.gov(b)(6)@wyo.gov;(b)(6)@acf.hhs.gov(b)(6)@usace.army.mi(b)(6)@usace.army.mil;(b)(6)@state.mn.us;Peterson, Mark J;(b)(6)@hhs.gov(b)(6)@hhs.gov(b)(6)@hhs.gov;(b)(6)@sba.gov(b)(6)@sba.gov;Nelson, Jason(b)(6)@fs.fed.us;Alexander, Daniel
Subject: Region VIII News Clips, Monday, December 19
Attachments: R8 Clips 12-19-16.docx

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The National Weather Service says Interstate 90 has been closed from Park City to Springdale because of dangerous driving conditions.

Authorities urged people to stay home, and warned those who venture out could not only endanger themselves, but others who might have to rescue them.

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NORTH DAKOTA:

Massive 2013 oil spill in North Dakota still not cleaned up

- Associated Press
- 18 hrs ago

BISMARCK, N.D. — Three years and three months later, a massive oil spill in North Dakota still isn't fully cleaned up. The company responsible hasn't even set a date for completion.

Though crews have been working around the clock to deal with the Tesoro Corp. pipeline break, which happened in a wheat field in September 2013, less than a third of the 840,000 gallons that spilled has been recovered — or ever will be, North Dakota Health Department environmental scientist Bill Suess said.

A farmer, Steve Jenkins, who'd smelled the crude oil for days, discovered the spill in his northwestern North Dakota field near Tioga — his combines' tires were covered in it.

While the nearest home was a half-mile away and the state said no water sources were contaminated and no wildlife hurt, one of the largest onshore oil spills recorded in the U.S. serves for some as a cautionary example, especially given a recent pipeline break about 150 miles south and ongoing debates over the four-state Dakota Access pipeline.

"What happened to us happened and we can't go back," said Patty Jensen, Steve's wife. This month's pipeline break in Belfield, which belched an estimated 176,000 gallons of oil into a creek that feeds into the Little Missouri River, a tributary of the Missouri River, really rankled her.

"But I get really upset when I hear of a new one and I wonder what is being done to prevent these spills," she said.

Both the Tesoro break and the Belfield break occurred on 6-inch steel pipelines — a part of a large network pipelines that crisscross western North Dakota's oil patch. By comparison, the Dakota Access pipeline is made of 30-inch steel and will carry nearly 20 million gallons daily.

The Tesoro spill was not far from where oil was first discovered in North Dakota in 1951.The Texas-based company and federal regulators have said a lightning strike may have caused the 2013 rupture in the pipeline, which runs from Tioga to a rail facility outside of Columbus, near the Canadian border.

North Dakota regulators initially thought just 750 barrels of oil was involved in the spill, but later updated the amount exponentially. They also expanded the affected acreage from about 7 — the size of seven football fields — to about 13 acres, Suess said. The cleanup has cost Tesoro more than $49 million to date and is expected to top $60 million, according to recent filings to the state.

Tesoro spokeswoman Destin Singleton said she could not immediately confirm the numbers, and noted the cleanup completion date remains unknown. The pipeline was monitored remotely, but the company has said the spill wasn't detected.

Crews have had to dig as deep as 50 feet to remove hundreds of thousands of tons of oil-tainted soil, Suess said. The company has now switched to special equipment that cooks hydrocarbons from crude-soaked soil in a process called thermal desorption before putting it back in place.

The Dec. 5 spill on the Belle Fourche pipeline also was discovered by a landowner. Crude oil migrated about almost 6 miles from the spill site along Ash Coulee Creek, and fouled an unknown amount of private and U.S. Forest Service land along the waterway. Seuss said it appears no oil got as far as the Little Missouri River, and no drinking water sources were threatened.

It's not yet clear why monitoring equipment didn't detect the leak, according to Wendy Owen, a spokeswoman for Casper, Wyoming-based True Cos., which operates the pipeline.

The Dakota Access pipeline builder, Texas-based Energy Transfer Partners, has said the project will be safe and that workers remotely monitoring the pipeline will be able to shut it down if a leak is detected.

Owen said didn't know how long it would take to clean the Belle Fourche spill, given that wintry weather was slowing down the progress, or how much it would cost.

Patty Jensen is aware of the glacial pace of oil spill cleanups. For more than three years, it's been part the couple's life.

"They are there working away 24 hours a day, seven days a week — it's pretty amazing," she said. "The noise from the equipment used to bug us but we've grown used to it."

Only the hardiest remain at Dakota Access Pipeline protest camp

By Reuters Media Today at 7:55 a.m.

CANNON BALL, N.D. - Two weeks after a victory in their fight against the Dakota Access Pipeline, most protesters have cleared out of the main protest camp in North Dakota - but about 1,000 are still there, and plan to remain through the winter.

These folks say they are dug in at the Oceti Sakowin Camp in Cannon Ball, North Dakota, despite the cold, for a few reasons. Most are Native Americans, and want to support the tribal sovereignty effort forcefully argued by the Standing Rock Sioux, whose land is adjacent to the pipeline being built.

Others say they worry that Energy Transfer Partners LP, the company building the $3.8 billion project, will resume construction without people on the ground, even though the tribes and the company are currently locked in a court battle.

Future decisions on the 1,172-mile (1,885-km) pipeline are likely to come through discussions with the incoming administration of Donald Trump, or in courtrooms.

“I’ve seen some of my friends leave but I will be here until the end and will stand up to Trump if he decides to approve the permit,” said Victor Herrald, of the Cheyenne River Sioux Tribe in South Dakota, who has been at the camp since August.

At one point the camp had about 10,000 people, including about 4,000 veterans who showed up in early December - just before the U.S. Army Corps of Engineers denied a key easement needed to allow the Dakota Access Pipeline to run under Lake Oahe, a reservoir formed by a dam on the Missouri River.

After the Corps decision, Standing Rock chairman Dave Archambault asked protesters to go home. The camp's population now runs from 700 to 1,000, depending on the day, and many come from the nearby Standing Rock reservation where they live.

Those left say they are there to "show our strengths," as Bucky Harjo, 63, of the Paiute tribe, from Reno, Nevada, put it, while the tribe deals with the legal battle.

Logistics are key for those still at the camp, located on federal land. Theron Begay, a Navajo journeyman who is a certified construction worker and heavy machine operator, has been put in charge of winterizing the camp. He is training volunteers to build structures that can withstand sub-zero temperatures and bitter winds, as well as compost toilets.

Some people at the camp have gotten pneumonia, and they and others went to an emergency shelter that was built three miles away to escape the cold.

Because the Oceti Sakowin camp is located on a flood plain, waste from the camp poses risks to the nearby Cannonball River. Tribal leaders have said the camp may need to move if it wants to remain active. Begay said the structures can be "disassembled like a puzzle in two hours” and re-established on drier ground.

North Dakota's Governor Jack Dalrymple said in a Tuesday statement that he and Archambault recently met to discuss reducing tensions between the tribe and law enforcement. They are discussing reopening the nearby Backwater Bridge on state highway 1806, which has been blockaded since Oct. 27, when activists set vehicles on fire.

Harjo said he will leave "when I see the drill pad removed and DAPL out of here, and when they reopen 1806 and when we are free to go at our own will and not be targeted on the highway."

Tom Goldtooth, executive director of the Indigenous Environmental Network, and a constant presence in the camp, said the protest is transitioning "to the next level of our campaign" to stop the pipeline.

Some still at the camp worry that if they leave, Energy Transfer Partners will restart construction. ETP asked a federal judge on Dec. 9 to overrule the government's decision and grant the easement. The judge declined that request; the parties are due back in court in February. Trump, who owned ETP stock through at least mid-2016, according to financial disclosure forms, could order the Army Corps to grant the permit. His choice for U.S. Energy Secretary, former Texas Governor Rick Perry, is on ETP's board. Standing Rock Sioux representatives met with members of Trump's transition team this week to urge the incoming president to deny the easement.

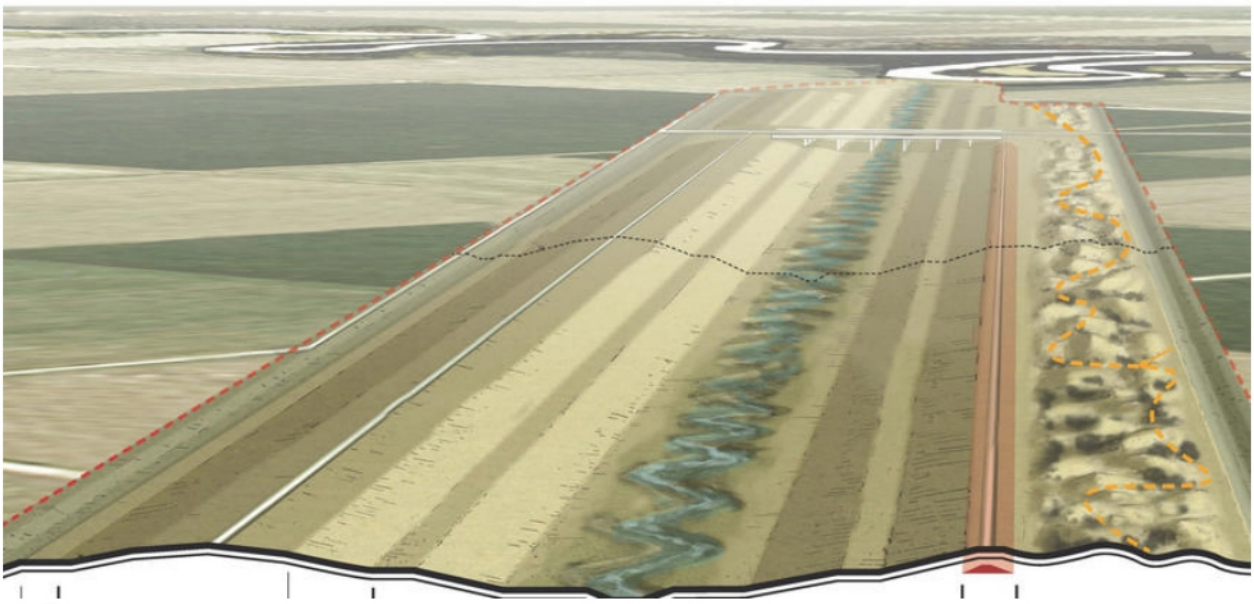
Protesters who remain at the camp are still receiving donations of money and supplies from people across the United States. On a recent visit to the camp's emergency shelter it was filled with boxes delivered via Amazon.com.

Goldtooth said tribal leaders are talking about an exit plan for the camp. "We will continue to provide infrastructure support to those who stay here," he said. "We'll make sure they're safe and warm."

(Reporting By Valerie Volcovici in Cannon Ball, N.D., additional reporting by Andrew Cullen and Ernest Scheyder; Writing by David Gaffen; Editing by Andrew Hay)

Diversion P3 hopefuls will get back portion of $10 million bid cost, if they promise not to sue

By Tu-Uyen Tran on Dec 18, 2016 at 5:31 p.m.



An artist's rendering depicts a cross section of the proposed Fargo-Moorhead flood diversion channel. / Photo credit: Special to The Forum.1 / 2

FARGO — The contract to build the 30-mile flood-diversion channel around Fargo-Moorhead will be unlike contracts for any other public works project in the area, according to bid procedures recently adopted by the Diversion Authority.

For one thing, the authority will offer to compensate each bidder a maximum of $1 million to recover some of the cost of preparing a bid—but only if they agree not to sue should they not get the massive contract. Authority staff said this is standard industry practice because of the enormous stakes involved, which could result in massive lawsuits from unsuccessful bidders.
The Diversion Authority has estimated it would cost around $763 million to build the channel, which would go to a single consortium of firms. Consultants at CH2M Hill estimate each firm will spend about $10 million just to prepare the bid.
The total cost of the project, which includes dikes in Fargo, a dam to control the flow of Red River flood water into the channel and land acquisition, is estimated at $2.2 billion.
The bid procedures are part of a request for proposal the Diversion Authority board agreed on Thursday, Dec. 15, to issue to four consortiums that had won an earlier competition for the right to bid.
Board Chairman Darrell Vanyo called the RFP a "huge milestone." The next step is to receive bids and award a contract.
The four consortiums eligible to bid are Lake Agassiz Partners, Red River Valley Partners, Red River Valley Alliance and Red River Partners, all made up of national and international firms. Subcontractors include many local firms.
Different kind of contract
If the diversion project were like most other public works projects in the region, it would be either smaller in scale or broken up into many phases, each of which would go to a different contractor. The $409 million dike and diversion system protecting Grand Forks-East Grand Forks was built by multiple contractors in part because the amount of work was limited by how much funding Congress provided each year.
Such stop-and-start construction increases costs, according to Diversion Authority officials.
In an effort to reduce costs and speed up construction, the authority and federal government agreed to use a P3 funding model, short for public-private partnership, on the channel and related structures. The U.S. Army Corps of Engineers will be responsible for the dam using the traditional funding model.
With P3, the authority would agree upfront to pay specified amounts each year to a single private partner that would be in a better position to control costs and speed than multiple contractors.
Unlike in most public works projects where the government already has a design it wants contractors to build, the P3 contractor would receive from the Diversion Authority technical requirements such as the volume of water the channel must accommodate and a certain level of safety, according to authority attorney John Shockley. Contractors will produce a design to meet those requirements and are encouraged to find innovative ways to do so at lower costs.
Big stakes
Because the contract could be worth more than $700 million and the cost of bidding $10 million, unsuccessful bidders would have a real incentive to sue, according to authority staff. That's why it's standard industry practice to agree to reimburse some costs in return for a waiver of protest, which prevents bidders from suing.
Bidders are eligible for a maximum reimbursement of $1 million or half the cost of designing the diversion channel, whichever is less. If the authority canceled the P3 process, bidders are eligible for a maximum reimbursement of $500,000 or the actual cost spent on the bid, whichever is less.
"The costs of a legal suit are unknown and could easily exceed the cost of the waiver," staff said in briefings provided to the authority.

If any of the four consortiums declined the waiver, they would still be allowed to bid but would not be eligible for reimbursements.
By paying for the design, the Diversion Authority would also have the right to use whatever innovation the bidder came up with. Staff said that means if an unsuccessful bidder found a way to build an aqueduct for less, the authority can ask the successful bidder to incorporate that into its design.
Authority board members didn't discuss the waiver but the finance committee did at its Nov. 29 meeting, according to meeting minutes.
Fargo City Commissioner Tony Grindberg, who is on both the finance committee and the authority board, said he was skeptical of the reimbursements at first but decided it did make sense as a design fee.
City Commissioner Tony Gehrig, who is on the finance committee only, said he was only willing to pay for the design if the authority used it. He said this is the first federal flood-control project to use P3, and its visibility as a pilot project should be enough to attract bidders.
City Finance Director Kent Costin said credit rating agencies he spoke with all strongly advised the authority follow standard industry practice.
The committee voted 10-1 to recommend the authority board adopt the waivers. Two members were absent. The authority board voted unanimously Thursday.

SOUTH DAKOTA:

UTAH:

WYOMING:

Energy development viewed differently among Native American tribes

- Heather Richards 307-266-0592 Heather.Richards@trib.com
- Updated 12 hrs ago

The Wind River runs along the boundaries of Riverton and the Wind River Reservation. Some tribal members are hopeful that a Donald Trump presidency could mean more autonomy over energy development on their lands.

Some Native Americans hope that a Donald Trump presidency will give tribes more control over energy development on reservations.

The push has come out of talks with the president-elect's Native American Coalition, a group of 27 members at its start, representing 15 states. While no members of Wyoming's Eastern Shoshone and Northern Arapaho tribes were on the original coalition, energy development has historically frustrated some tribal members in the state.

A move to less federal oversight is often seen as a nod to Native American tribal government rights, but tribal members also want to strike a balance between traditional values of protecting the environment and the boon of fossil fuel development for local economies.

In April, a bill penned by Wyoming's U.S. Sen. John Barrasso that sought to amend previous energy regulations on tribal lands passed in the Senate as part of a larger energy platform.

Though the bill doesn't go as far as the suggestion from Trump's coalition that energy development should be privatized in Indian Country, proponents say it reduces the bureaucratic hurdles to drill and mine on reservations, like streamlining the multi-step approval process for development.

It was first introduced in 2011 after consultation with Wyoming tribal leaders at the time, said Mike Danylak, spokesman for the congressman on the Indian Affairs Committee. The bill would have to pass the House before it becomes law.

Moves likes Barrasso's highlight the important role industry might play in economic development on the Wind River Reservation. Some hope that less oversight will mend a history of frustration and bad deals, said Jason Baldes, director of the Wind River Native Advocacy Center.

"A lot of those (energy) contracts that were developed early on were negotiated at an advanced stage," he said. "We as tribes didn't have the legal expertise or the right legal department to really reap the benefits of oil and gas on the reservation."

The result was lost revenue, and the desire to change course goes back decades.

In a hearing before the House Committee on Natural Resources in 2012, Wes Martel, then council vice chairman for the Shoshone Business Council, told congressmen that he had been appointed by the Secretary of the Interior in the early '80s on an advisory committee for mineral accountability. Their task was meant to set down new rules and regulations.

"Thirty years later, we are still waiting for these regulations to be fully implemented," he told the House committee.

Though details differ from reservation to reservation, the heart of the issue is sovereignty, Baldes said.

"Oftentimes the federal government, as well as other agencies, don't operate with tribes on a government to government relationship," he said. "That sovereignty, that self-determination, must be something that is acknowledged."

What shouldn't continue is the reliance on the Bureau of Indian Affairs, which like other federal land agencies such as the Bureau of Land Management, governs much of the permitting process for native development, he said.

Tribes are distrustful of federal involvement in local decisions based on a history of tension between agencies and the tribes, Baldes said.

It's a sentiment shared by Barrasso, who couldn't be reached for comment but provided a statement on his energy bill.

"For years, Indian tribes have expressed concerns about the numerous job-crushing federal laws and duplicative regulations governing the management of Indian energy resources," he said. "Instead of creating more barriers to energy development in Indian Country, Washington needs to focus on removing them."

However, despite the benefits of controlling development on reservations, there is another side to the energy debate that many tribal members are considering, Baldes said.

"Different tribes have different feelings about oil and gas and natural resource extraction," he said. "Personally, and based on the people I work with, we recognize the need to move away from our dependence on fossil fuels, and we need to begin to look at more renewable resources."

Particularly, on a small scale, solar and wind energy can be achieved on a reservation, he said.

But the economic benefit to fossil fuels is undeniable, and some tribes may choose to go in that direction, he said.

Revenue is a key issue in the discussion over tribal energy.

Some proponents of reduced federal oversight have criticized the taxing of companies that operate on tribal lands, that pay both federal and tribal government taxes in addition to state taxes.

That can inhibit development while drawing money away from the tribes toward state and federal government.

A series of studies paid for by the Eastern Shoshone and Arapaho business councils in the early 2000s indicated that the tribes pay significantly more each year to the state of Wyoming than they reap in services. That held true every year from 1979 to 2002, according to the study prepared by Charles River Associates in 2003.

What some tribes see as a recourse to the tax and sovereignty dilemma is ownership of the companies drilling on their reservations, said Baldes.

“In the past the tribes have looked at developing our own oil and gas companies,” Baldes said. “So that we can dictate where these funds come from and how they are allocated.”

Ultimately, each tribal government should be able to determine how and when they develop energy resources, he said.

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Because the Oceti Sakowin camp is located on a flood plain, waste from the camp poses risks to the nearby Cannonball River. Tribal leaders have said the camp may need to move if it wants to remain active. Begay said the structures can be "disassembled like a puzzle in two hours” and re-established on drier ground.

North Dakota's Governor Jack Dalrymple said in a Tuesday statement that he and Archambault recently met to discuss reducing tensions between the tribe and law enforcement. They are discussing reopening the nearby Backwater Bridge on state highway 1806, which has been blockaded since Oct. 27, when activists set vehicles on fire.

Harjo said he will leave "when I see the drill pad removed and DAPL out of here, and when they reopen 1806 and when we are free to go at our own will and not be targeted on the highway."

Tom Goldtooth, executive director of the Indigenous Environmental Network, and a constant presence in the camp, said the protest is transitioning "to the next level of our campaign" to stop the pipeline.

Some still at the camp worry that if they leave, Energy Transfer Partners will restart construction. ETP asked a federal judge on Dec. 9 to overrule the government's decision and grant the easement. The judge declined that request; the parties are due back in court in February.

Trump, who owned ETP stock through at least mid-2016, according to financial disclosure forms, could order the Army Corps to grant the permit. His choice for U.S. Energy Secretary, former Texas Governor Rick Perry, is on ETP's board. Standing Rock Sioux representatives met with members of Trump's transition team this week to urge the incoming president to deny the easement.

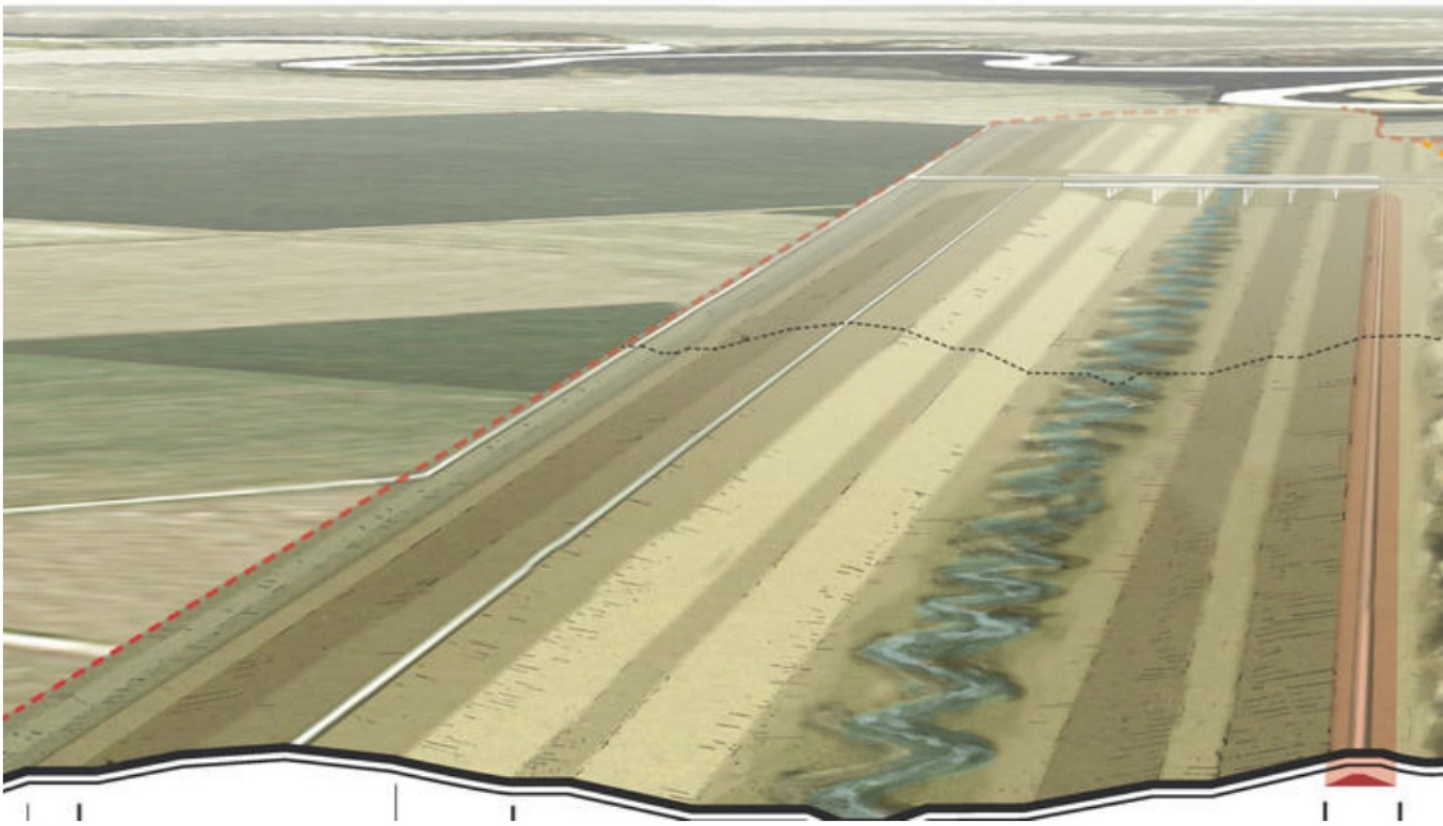
Protesters who remain at the camp are still receiving donations of money and supplies from people across the United States. On a recent visit to the camp's emergency shelter it was filled with boxes delivered via Amazon.com.

Goldtooth said tribal leaders are talking about an exit plan for the camp. "We will continue to provide infrastructure support to those who stay here," he said. "We'll make sure they're safe and warm."

(Reporting By Valerie Volcovici in Cannon Ball, N.D., additional reporting by Andrew Cullen and Ernest Scheyder; Writing by David Gaffen; Editing by Andrew Hay)

Diversion P3 hopefuls will get back portion of $10 million bid cost, if they promise not to sue

By Tu-Uyen Tran on Dec 18, 2016 at 5:31 p.m.



An artist's rendering depicts a cross section of the proposed Fargo-Moorhead flood diversion channel. / Photo credit: Special to The Forum.1 / 2FARGO — The contract to build the 30-mile flood-diversion channel around Fargo-Moorhead will be unlike contracts for any other public works project in the area, according to bid procedures recently adopted by the Diversion Authority.

For one thing, the authority will offer to compensate each bidder a maximum of $1 million to recover some of the cost of preparing a bid—but only if they agree not to sue should they not get the massive contract. Authority staff said this is standard industry practice because of the enormous stakes involved, which could result in massive lawsuits from unsuccessful bidders.

The Diversion Authority has estimated it would cost around $763 million to build the channel, which would go to a single consortium of firms. Consultants at CH2M Hill estimate each firm will spend about $10 million just to prepare the bid.

The total cost of the project, which includes dikes in Fargo, a dam to control the flow of Red River flood water into the channel and land acquisition, is estimated at $2.2 billion.

The bid procedures are part of a request for proposal the Diversion Authority board agreed on Thursday, Dec. 15, to issue to four consortiums that had won an earlier competition for the right to bid.

Board Chairman Darrell Vanyo called the RFP a "huge milestone." The next step is to receive bids and award a contract.

The four consortiums eligible to bid are Lake Agassiz Partners, Red River Valley Partners, Red River Valley Alliance and Red River Partners, all made up of national and international firms. Subcontractors include many local firms.

Different kind of contract

If the diversion project were like most other public works projects in the region, it would be either smaller in scale or broken up into many phases, each of which would go to a different contractor. The $409 million dike and diversion system protecting Grand Forks-East Grand Forks was built by multiple contractors in part because the amount of work was limited by how much funding Congress provided each year.

Such stop-and-start construction increases costs, according to Diversion Authority officials.

In an effort to reduce costs and speed up construction, the authority and federal government agreed to use a P3 funding model, short for public-private partnership, on the channel and related structures. The U.S. Army Corps of Engineers will be responsible for the dam using the traditional funding model.

With P3, the authority would agree upfront to pay specified amounts each year to a single private partner that would be in a better position to control costs and speed than multiple contractors.

Unlike in most public works projects where the government already has a design it wants contractors to build, the P3 contractor would receive from the Diversion Authority technical requirements such as the volume of water the channel must accommodate and a certain level of safety, according to authority attorney John Shockley. Contractors will produce a design to meet those requirements and are encouraged to find innovative ways to do so at lower costs.

Big stakes

Because the contract could be worth more than $700 million and the cost of bidding $10 million, unsuccessful bidders would have a real incentive to sue, according to authority staff. That's why it's standard industry practice to agree to reimburse some costs in return for a waiver of protest, which prevents bidders from suing.

Bidders are eligible for a maximum reimbursement of $1 million or half the cost of designing the diversion channel, whichever is less. If the authority canceled the P3 process, bidders are eligible for a maximum reimbursement of $500,000 or the actual cost spent on the bid, whichever is less.

"The costs of a legal suit are unknown and could easily exceed the cost of the waiver," staff said in briefings provided to the authority.

If any of the four consortiums declined the waiver, they would still be allowed to bid but would not be eligible for reimbursements.

By paying for the design, the Diversion Authority would also have the right to use whatever innovation the bidder came up with. Staff said that means if an unsuccessful bidder found a way to build an aqueduct for less, the authority can ask the successful bidder to incorporate that into its design.

Authority board members didn't discuss the waiver but the finance committee did at its Nov. 29 meeting, according to meeting minutes.

Fargo City Commissioner Tony Grindberg, who is on both the finance committee and the authority board, said he was skeptical of the reimbursements at first but decided it did make sense as a design fee.

City Commissioner Tony Gehrig, who is on the finance committee only, said he was only willing to pay for the design if the authority used it. He said this is the first federal flood-control project to use P3, and its visibility as a pilot project should be enough to attract bidders.

City Finance Director Kent Costin said credit rating agencies he spoke with all strongly advised the authority follow standard industry practice.

The committee voted 10-1 to recommend the authority board adopt the waivers. Two members were absent. The authority board voted unanimously Thursday.

SOUTH DAKOTA:

UTAH:

WYOMING:

Energy development viewed differently among Native American tribes

- Heather Richards 307-266-0592 Heather.Richards@trib.com

- Updated 12 hrs ago

The Wind River runs along the boundaries of Riverton and the Wind River Reservation. Some tribal members are hopeful that a Donald Trump presidency could mean more autonomy over energy development on their lands.

Some Native Americans hope that a Donald Trump presidency will give tribes more control over energy development on reservations.

The push has come out of talks with the president-elect's Native American Coalition, a group of 27 members at its start, representing 15 states. While no members of Wyoming's Eastern Shoshone and Northern Arapaho tribes were on the original coalition, energy development has historically frustrated some tribal members in the state.

A move to less federal oversight is often seen as a nod to Native American tribal government rights, but tribal members also want to strike a balance between traditional values of protecting the environment and the boon of fossil fuel development for local economies.

In April, a bill penned by Wyoming's U.S. Sen. John Barrasso that sought to amend previous energy regulations on tribal lands passed in the Senate as part of a larger energy platform.

Though the bill doesn't go as far as the suggestion from Trump's coalition that energy development should be privatized in Indian Country, proponents say it reduces the bureaucratic hurdles to drill and mine on reservations, like streamlining the multi-step approval process for development.

It was first introduced in 2011 after consultation with Wyoming tribal leaders at the time, said Mike Danylak, spokesman for the congressman on the Indian Affairs Committee. The bill would have to pass the House before it becomes law.

Moves likes Barrasso's highlight the important role industry might play in economic development on the Wind River Reservation. Some hope that less oversight will mend a history of frustration and bad deals, said Jason Baldes, director of the Wind River Native Advocacy Center.

"A lot of those (energy) contracts that were developed early on were negotiated at an advanced stage," he said. "We as tribes didn't have the legal expertise or the right legal department to really reap the benefits of oil and gas on the reservation."

The result was lost revenue, and the desire to change course goes back decades.

In a hearing before the House Committee on Natural Resources in 2012, Wes Martel, then council vice chairman for the Shoshone Business Council, told congressmen that he had been appointed by the Secretary of the Interior in the early '80s on an advisory committee for mineral accountability. Their task was meant to set down new rules and regulations.

"Thirty years later, we are still waiting for these regulations to be fully implemented," he told the House committee.

Though details differ from reservation to reservation, the heart of the issue is sovereignty, Baldes said.

"Oftentimes the federal government, as well as other agencies, don't operate with tribes on a government to government relationship," he said. "That sovereignty, that self-determination, must be something that is acknowledged."

What shouldn't continue is the reliance on the Bureau of Indian Affairs, which like other federal land agencies such as the Bureau of Land Management, governs much of the permitting process for native development, he said.

Tribes are distrustful of federal involvement in local decisions based on a history of tension between agencies and the tribes, Baldes said.

It's a sentiment shared by Barrasso, who couldn't be reached for comment but provided a statement on his energy bill.

"For years, Indian tribes have expressed concerns about the numerous job-crushing federal laws and duplicative regulations governing the management of Indian energy resources," he said. "Instead of creating more barriers to energy development in Indian Country, Washington needs to focus on removing them."

However, despite the benefits of controlling development on reservations, there is another side to the energy debate that many tribal members are considering, Baldes said.

"Different tribes have different feelings about oil and gas and natural resource extraction," he said. "Personally, and based on the people I work with, we recognize the need to move away from our dependence on fossil fuels, and we need to begin to look at more renewable resources."

Particularly, on a small scale, solar and wind energy can be achieved on a reservation, he said.

But the economic benefit to fossil fuels is undeniable, and some tribes may choose to go in that direction, he said.

Revenue is a key issue in the discussion over tribal energy.

Some proponents of reduced federal oversight have criticized the taxing of companies that operate on tribal lands, that pay both federal and tribal government taxes in addition to state taxes.

That can inhibit development while drawing money away from the tribes toward state and federal government.

A series of studies paid for by the Eastern Shoshone and Arapaho business councils in the early 2000s indicated that the tribes pay significantly more each year to the state of Wyoming than they reap in services. That held true every year from 1979 to 2002, according to the study prepared by Charles River Associates in 2003.

What some tribes see as a recourse to the tax and sovereignty dilemma is ownership of the companies drilling on their reservations, said Baldes.

"In the past the tribes have looked at developing our own oil and gas companies," Baldes said. "So that we can dictate where these funds come from and how they are allocated."

Ultimately, each tribal government should be able to determine how and when they develop energy resources, he said.

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Sent: 6 Feb 2017 10:58:06 -0500
To: R8 ALL PFTs-CORES
Cc: (b)(6) (b)(6) @state.co.us; (b)(6) @mail.mil (b)(6) @mail.mil; (b)(6) @nd.gov; (b)(6) @state.sd.us (b)(6) @state.sd.us (b)(6) @utah.gov; (b)(6) @wyo.gov; (b)(6) @acf.hhs.gov; (b)(6) @usace.army.mil; (b)(6) @usace.army.mil; (b)(6) @state.mn.us;Peterson, Mark J; (b)(6) @hhs.gov (b)(6) @hhs.gov; (b)(6) @hhs.gov (b)(6) @sba.gov; (b)(6) @sba.gov;Nelson, Jason; (b)(6) @fs.fed.us;Alexander, Daniel; (b)(6) @aveshka.com; (b)(6) @atf.gov
Subject: Region VIII News Clips, Monday, Feb 6
Attachments: R8 Clips 02-06-17.docx

Region VIII Clips

Wednesday, Feb 1, 2017

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By Noelle Phillips
Denver Post, February 4, 2017

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After 6 p.m., the Sheriff's Office reported the blaze was 90 percent contained and no homes were in danger.

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This story will be updated as more information becomes available.

Red flag warning issued on the Colorado plains, winter storm warning for the mountains

By: **Chhun Sun**
February 6, 2017 *Updated: 4 minutes ago*

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Don't put away your hiking shorts just yet.

At least another day of outdoor-friendly weather is in the forecast, though expect some strong winds as well.

According to the National Weather Service in Pueblo, Colorado Springs could see a high near 61 degrees on Monday with mostly sunny skies. However, the northwest winds are expected to reach between 10 to 15 mph with gusting at 35 mph.

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Colorado lawmakers ask Congress to fix wildfire funding

Mitigation projects are being postponed because of costly wildfires

By Luke Perkins
Herald Staff Writer

DENVER – The cost of fire suppression nationwide has nine times exceeded $1.5 billion since 2000, including reaching a high of $2.1 billion in 2015.

Colorado state legislators expect the costly trend to continue because of a federal funding mechanism that pulls money that could be used for mitigation projects that could reduce the severity of wildfires.

With this in mind, the state Senate sent a request last month to Colorado's congressional delegation requesting a change in how funding for wildfire response is prioritized across the nation.

Senate Joint Memorial 1 petitions Congress to increase the funding for wildfire suppression for federal land management agencies, such as the Forest Service, Bureau of Land Management and National Park Service.

Sen. Matt Jones, D-Louisville, said the agencies transfer money to cover wildfire response costs from other parts of their budget, which leaves fire mitigation and improvement projects underfunded after bad fire years.

"The problem is year after year, the federal government finances the Forest Service at a rate, and it eats a percentage of their budget up more and more and more, and it's projected (in 2017) to be almost two-thirds of their budget," Jones said.

The funding formula for wildfire suppression is based upon the average costs over the previous 10 years, Babete Anderson, national press officer for the Forest Service, said in an email. The increased complexity of wildfire suppression has resulted in the cost exceeding the average nearly every year since 2002, with 2005, 2009 and 2010 being the exceptions.

When the 10-year average is exceeded, money must be drawn from unobligated sources or other programs in a process called a "fire transfer," Anderson said.

The practice allows for fire suppression to be funded when emergencies arise, but it can lead to postponed projects, Anderson said. "When fire transfer occurs, the agency is forced to divert money away from the same forest restoration projects that prevent or lessen the impacts of future wildfire."

This funding is typically replenished by Congress but can lead to disruption of projects and seasonal work, she said.

In Region 2 of the Forest Service, which includes Colorado, fire transfers in 2015 negatively affected the number of acres of beetle-impacted forest prepared for commercial treatment, reduced the amount of stewardship contracts awarded for mitigation of national forest lands, and cut forest health fieldwork as a result of shorter seasons for employees on temporary contracts, Babete said. All of that resulted in less fuel-load reduction and increased safety

issues from the potential for severe fires.

Jones said the reduction in mitigation work is key to the argument for increased funding. Delaying it could mean increasingly severe wildfires down the line.

“That’s the kind of work that needs to happen day to day in the Forest Service without having this money borrowed out of their account,” Jones said.

It’s a perennial issue in the state Legislature and elsewhere, he said. “A number of states have been asking for this for a while, and we’re just keeping up the pressure.”

In Congress, it is seen as a bipartisan issue that needs to be addressed, Anderson said.

“More than 150 bipartisan congressional members have voiced support to remedy this budget issue,” she said.

What form a remedy might take is up in the air, but several have been put forward, she said. “The Obama administration proposed funding fire suppression using a disaster cap adjustment, requiring the agency to budget for 70 percent of the 10-year rolling average, and allowing the agency to draw on funding appropriated government-wide for disasters.”

Other options during Congress’ last session included the Emergency Wildfire and Forest Management Act of 2016, which creates a Wildfire Suppression Operations Account that would hold funds the president could transfer in times of disaster to land managers for suppression operations.

This act was introduced in 2016 and assigned to the Senate Agriculture, Nutrition and Forestry committee but has not been heard in committee, according to congress.gov.

Jones said he hopes Congress will come to a conclusion sooner rather than later on how to address the issue, but he stressed that any solution must be adequate to the growing needs of fire mitigation.

“It’s important we get this right, and we have got to get ahead of this because we have got to do more mitigation,” he said.

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MONTANA:

NORTH DAKOTA:

Heavy Precipitation Raises Red River Flooding Concerns

Associated Press, February 5, 2017

MINNEAPOLIS (AP) – After several dry springs, communities are keeping a wary eye on the Red River in case it's due for another flood.

The region has been soaked with double the usual amount of winter rain, sleet and snow this winter, prompting the National Weather Service to recently issue an early warning about potential spring floods. Meteorologists say there's a risk of moderate flooding around Grand Forks, North Dakota, and East Grand Forks, Minnesota.

But community officials said they're confident their defenses will protect their communities.

"We don't do much of any sort of sandbagging anymore, with the flood protection system we have here," East Grand Forks Fire Chief Gary Larson told the Star Tribune.

The river has flooded in 50 of the past 111 years. This year marks the 20th anniversary of the catastrophic flood of 1997, which submerged communities from Wahpeton-Breckenridge to Fargo-Moorhead to Grand Forks-East Grand Forks and beyond, inflicting billions of dollars in damage across the region.

Spring snowmelt trickles into the north-flowing Red and backs up behind ice jams in still-frozen stretches of the river downstream. But the real problem is the region's pancake-flat terrain, which allows floodwaters to spill and spread across the prairie for miles in every direction.

"The slope of the Red River Valley is so gentle," said Brad Hopkins with the National Weather Service in Grand Forks. "It takes a long time for water to move out of the system once a flood occurs."

If a major flood were to hit the Fargo-Moorhead area this spring, which is unlikely if the current forecast holds, it would be the first test of a new network of $105 million worth of flood control structures, including new pumping stations and some 12 miles of levees.

"The forecast is not as grave a concern as it would have been in previous years," Moorhead City Engineer Bob Zimmerman said.

The forecast could change, however. The National Weather Service will update its flood outlook for the Red River Valley at the end of February.

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Information from: Star Tribune, http://www.startribune.com

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Standing Rock Sioux want 'no forcible removal' of protesters from Dakota Access pipeline site

By Juliet Eilperin, *The Washington Post*

Standing Rock Sioux Tribe officials said this weekend that while they were working with federal authorities to stabilize the situation at the Dakota Access Pipeline protest site, they were not calling on law enforcement to forcibly remove activists there.

After months of protests, both tribal officials and residents in the town of Cannon Ball, North Dakota, have asked those opposed to completion of the controversial, 1,170-mile pipeline to

leave. A few hundred activists remain, both on the Standing Rock Sioux's reservation and on neighboring land.

Tribal officials and their allies, including environmentalists and many military veterans, argue that the project could cause environmental damage and disturb ancient burial sites.

Proponents, including President Donald Trump and many business and labor leaders, say it will spur economic growth in the United States and provide a means of safely transporting heavy crude from western North Dakota to the pipeline networks and refineries in Illinois.

On Friday evening, the acting assistant secretary for Indian affairs, Michael S. Black, said that the agency had sent "enforcement support and would assist" the tribe "in closing the protest camps within the Standing Rock Reservation boundary."

But tribal officials responded over the weekend that while they wanted people to leave the reservation, they did not want them arrested or ousted by force. On Wednesday, law enforcement authorities arrested 74 protesters who had decamped to land owned by the pipeline's developer, Energy Transfer Partners.

"We want to stress that we are cleaning the camps, not clearing them," the tribe posted on Facebook on Saturday. "We do not support or endorse any 'raids.' We have not asked for law enforcement to assist in clearing camps and in fact have repeatedly told them there will be no forcible removal."

Tribal officials have been trying to persuade protesters to leave on their own, although it is unclear whether they will do so. The extended period of encampment has caused soil erosion that could cause significant flooding, depending on future weather conditions.

Trump has instructed Army Corps of Engineers officials – who withheld the final permit needed to complete the pipeline project in December, citing the need for a more extensive environmental review — to expedite its review of Energy Transfer Partners' application. Officials confirmed last week they were accelerating their review but had not reached a final decision yet.

In the Facebook post, the tribe officials emphasized that they would continue to fight any federal permit for the pipeline in court but that opponents had to be sensitive to those living around the reservation.

"One of the key tenets of any movement is being considerate about how we treat the community in which we bring our voices and respect the places where we are visitors," it said. "The community of Cannonball has every right to choose how it wants people to help them. We are still focused on defeating DAPL on all fronts."

Souris flood claims another victim

Editorials

Feb 6, 2017

The Souris River flood of 2011 has made a victim out of another Minot landmark.

As we reported last week, the former Minot Flour Mill along Third Street Northeast is slated to be moved to make way for flood protection.

While the building is now rather unattractive and therefore probably not seen as much of a loss by many people, the mill is very much part of the town.

In fact, Third Street was originally called Mill Street back when more streets and avenues had names rather than numbers.

Reporter Jill Schramm said in her report that the history of the mill goes back prior to 1904 when pioneer businessmen Erik Ramstad and Alfred Blaisdell founded the Minot Milling Co. Snow White Flour was made there for many years, milled from spring wheat grown by local farmers on nearby fields; a huge source of pride for locals in those days.
There have been a number of buildings many Minot residents wish could have been saved, most notably perhaps the International Harvester Building, also downtown. Older residents would also remember the Elks Home, on South Main Street, and perhaps the Methodist church near the high school.

All of those building were beautiful structures, wonders in their time. They merely outgrew their usefulness, at least in the eyes of their owners. No foul there.

The Minot mill, also splendid in its day – judging by old photos – will see its demise for a different reason. It's in the way of an important flood control project that will benefit the entire Magic City.

When it is finally gone, hopefully the Minot Flour Mill will be remembered as it once looked, not for its present condition. And that it was sacrificed to help tame the river it has stood by for more than a century, through flood after flood after flood. May the "historic" 2011 flood of the Souris River be its last.

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Jerry DeFelice

External Affairs
FEMA Region VIII, Denver
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Wednesday, Feb 1, 2017

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By: **Chhun Sun**
February 6, 2017 *Updated: 4 minutes ago*

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When the 10-year average is exceeded, money must be drawn from unobligated sources or other programs in a process called a "fire transfer," Anderson said.

The practice allows for fire suppression to be funded when emergencies arise, but it can lead to postponed projects, Anderson said. "When fire transfer occurs, the agency is forced to divert money away from the same forest restoration projects that prevent or lessen the impacts of future wildfire."

This funding is typically replenished by Congress but can lead to disruption of projects and seasonal work, she said.

In Region 2 of the Forest Service, which includes Colorado, fire transfers in 2015 negatively affected the number of acres of beetle-impacted forest prepared for commercial treatment, reduced the amount of stewardship contracts awarded for mitigation of national forest lands, and cut forest health fieldwork as a result of shorter seasons for employees on temporary contracts, Babete said. All of that resulted in less fuel-load reduction and increased safety issues from the potential for severe fires.

Jones said the reduction in mitigation work is key to the argument for increased funding. Delaying it could mean increasingly severe wildfires down the line.

"That's the kind of work that needs to happen day to day in the Forest Service without having this money borrowed out of their account," Jones said.

It's a perennial issue in the state Legislature and elsewhere, he said. "A number of states have

been asking for this for a while, and we're just keeping up the pressure."

In Congress, it is seen as a bipartisan issue that needs to be addressed, Anderson said.

"More than 150 bipartisan congressional members have voiced support to remedy this budget issue," she said.

What form a remedy might take is up in the air, but several have been put forward, she said. "The Obama administration proposed funding fire suppression using a disaster cap adjustment, requiring the agency to budget for 70 percent of the 10-year rolling average, and allowing the agency to draw on funding appropriated government-wide for disasters."

Other options during Congress' last session included the Emergency Wildfire and Forest Management Act of 2016, which creates a Wildfire Suppression Operations Account that would hold funds the president could transfer in times of disaster to land managers for suppression operations.

This act was introduced in 2016 and assigned to the Senate Agriculture, Nutrition and Forestry committee but has not been heard in committee, according to congress.gov.

Jones said he hopes Congress will come to a conclusion sooner rather than later on how to address the issue, but he stressed that any solution must be adequate to the growing needs of fire mitigation.

"It's important we get this right, and we have got to get ahead of this because we have got to do more mitigation," he said.

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MONTANA:

NORTH DAKOTA:

Heavy Precipitation Raises Red River Flooding Concerns

Associated Press, February 5, 2017

MINNEAPOLIS (AP) – After several dry springs, communities are keeping a wary eye on the Red River in case it's due for another flood.

The region has been soaked with double the usual amount of winter rain, sleet and snow this winter, prompting the National Weather Service to recently issue an early warning about potential spring floods.

Meteorologists say there's a risk of moderate flooding around Grand Forks, North Dakota, and East Grand Forks, Minnesota.

But community officials said they're confident their defenses will protect their communities.

"We don't do much of any sort of sandbagging anymore, with the flood protection system we have here," East Grand Forks Fire Chief Gary Larson told the Star Tribune.

The river has flooded in 50 of the past 111 years. This year marks the 20th anniversary of the catastrophic flood of 1997, which submerged communities from Wahpeton-Breckenridge to Fargo-Moorhead to Grand Forks-East Grand Forks and beyond, inflicting billions of dollars in damage across the region.

Spring snowmelt trickles into the north-flowing Red and backs up behind ice jams in still-frozen stretches of the river downstream. But the real problem is the region's pancake-flat terrain, which allows floodwaters to spill and spread across the prairie for miles in every direction.

"The slope of the Red River Valley is so gentle," said Brad Hopkins with the National Weather Service in Grand Forks. "It takes a long time for water to move out of the system once a flood occurs."

If a major flood were to hit the Fargo-Moorhead area this spring, which is unlikely if the current forecast holds, it would be the first test of a new network of $105 million worth of flood control structures, including new pumping stations and some 12 miles of levees.

"The forecast is not as grave a concern as it would have been in previous years," Moorhead City Engineer Bob Zimmerman said.

The forecast could change, however. The National Weather Service will update its flood outlook for the Red River Valley at the end of February.

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Information from: Star Tribune, http://www.startribune.com

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Standing Rock Sioux want 'no forcible removal' of protesters from Dakota Access pipeline site

By Juliet Eilperin, *The Washington Post*

Standing Rock Sioux Tribe officials said this weekend that while they were working with federal authorities to stabilize the situation at the Dakota Access Pipeline protest site, they were not calling on law enforcement to forcibly remove activists there.

After months of protests, both tribal officials and residents in the town of Cannon Ball, North Dakota, have asked those opposed to completion of the controversial, 1,170-mile pipeline to leave. A few hundred activists remain, both on the Standing Rock Sioux's reservation and on neighboring land.

Tribal officials and their allies, including environmentalists and many military veterans, argue that the project could cause environmental damage and disturb ancient burial sites. Proponents, including President Donald Trump and many business and labor leaders, say it will spur economic growth in the United States and provide a means of safely transporting heavy crude from western North Dakota to the pipeline networks and refineries in Illinois.

On Friday evening, the acting assistant secretary for Indian affairs, Michael S. Black, said that the agency had sent "enforcement support and would assist" the tribe "in closing the protest camps within the Standing Rock Reservation boundary."

But tribal officials responded over the weekend that while they wanted people to leave the reservation, they did not want them arrested or ousted by force. On Wednesday, law enforcement authorities arrested 74 protesters who had decamped to land owned by the pipeline's developer, Energy Transfer Partners.

"We want to stress that we are cleaning the camps, not clearing them," the tribe posted on Facebook on Saturday. "We do not support or endorse any 'raids.' We have not asked for law enforcement to assist in clearing camps and in fact have repeatedly told them there will be no forcible removal."

Tribal officials have been trying to persuade protesters to leave on their own, although it is unclear whether they will do so. The extended period of encampment has caused soil erosion that could cause significant flooding, depending on future weather conditions.

Trump has instructed Army Corps of Engineers officials – who withheld the final permit needed to complete the pipeline project in December, citing the need for a more extensive environmental review — to expedite its review of Energy Transfer Partners' application. Officials confirmed last week they were accelerating their review but had not reached a final decision yet.

In the Facebook post, the tribe officials emphasized that they would continue to fight any federal permit for the pipeline in court but that opponents had to be sensitive to those living around the reservation.

"One of the key tenets of any movement is being considerate about how we treat the community in which we bring our voices and respect the places where we are visitors," it said. "The community of Cannonball has every right to choose how it wants people to help them. We are still focused on defeating DAPL on all fronts."

Souris flood claims another victim

Editorials
Feb 6, 2017

The Souris River flood of 2011 has made a victim out of another Minot landmark.
As we reported last week, the former Minot Flour Mill along Third Street Northeast is slated to be moved to make way for flood protection.

While the building is now rather unattractive and therefore probably not seen as much of a loss by many people, the mill is very much part of the town.

In fact, Third Street was originally called Mill Street back when more streets and avenues had names rather than numbers.

Reporter Jill Schramm said in her report that the history of the mill goes back prior to 1904 when pioneer businessmen Erik Ramstad and Alfred Blaisdell founded the Minot Milling Co. Snow White Flour was made there for many years, milled from spring wheat grown by local farmers on nearby fields; a huge source of pride for locals in those days.
There have been a number of buildings many Minot residents wish could have been saved, most notably perhaps the International Harvester Building, also downtown. Older residents would also remember the Elks Home, on South Main Street, and perhaps the Methodist church near the high school.

All of those building were beautiful structures, wonders in their time. They merely outgrew their usefulness, at least in the eyes of their owners. No foul there.

The Minot mill, also splendid in its day – judging by old photos – will see its demise for a different reason. It's in the way of an important flood control project that will benefit the entire Magic City.

When it is finally gone, hopefully the Minot Flour Mill will be remembered as it once looked, not for its present condition. And that it was sacrificed to help tame the river it has stood by for more than a century, through flood after flood after flood. May the "historic" 2011 flood of the Souris River be its last.

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UTAH:

WYOMING:

FEMA-RELATED STORIES:

From: DeFelice, Jerome
Sent: 28 Nov 2016 10:54:32 -0500
To: R8 ALL PFTs-CORES
Cc: (b)(6) (b)(6)@state.co.us;(b)(6)@mail.mil;(b)(6)@mail.mil;(b)(6)@nd.gov;Tony.(b)(6)@state.sd.us;(b)(6)@state.sd.us(b)(6)@utah.gov;(b)(6)@wyo.gov;(b)(6)@acf.hhs.gov;(b)(6)@usace.army.mil;(b)(6)@usace.army.mil;(b)(6)@state.mn.us;Peterson, Mark J;(b)(6)@hhs.gov(b)(6)@hhs.gov(b)(6)@hhs.gov(b)(6)@sba.gov;(b)(6)@sba.gov;Nelson, Jason;(b)(6)@fs.fed.us;Alexander, Daniel
Subject: Region VIII News Clips, Monday, November 28
Attachments: R8 Clips 11-28-16.docx

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Governor calls for federal help in eviction of camped protesters

- Tribune staff
- Nov 26, 2016

In the wake of the U.S. Army Corps of Engineers setting a Dec. 5 deadline to pipeline protesters to leave its northern-most overflow camp, which is estimated to have at least 3,000 people, Gov. Jack Dalrymple said Saturday the federal government must take the lead in any such eviction.

However, Standing Rock Sioux Tribal Chairman Dave Archambault said he does not expect the inhabitants of the protest camp will be forcibly removed.

"The corps wants to reduce their liability," he said. "If they want public safety, the best thing for the federal government to do is to deny the easement."

Corps officials announced late Friday they will close to public use and access corps-managed federal property north of the Cannonball River. The corps' Omaha District Commander, Col. John Henderson, notified

Archambault on Friday that anyone found to be on corps property north of the Cannonball River after Dec. 5 will be considered trespassing and may be subject to prosecution.

Dallas Goldtooth, an organizer with the Indigenous Environmental Network, urged opponents of the Dakota Access Pipeline to stand strong in defending territorial treaty rights.

"This is a disgusting continuation of 500 years of colonialization," he said. "That is the state of affairs that we are in."

Sen. John Hoeven, R-N.D., was among the members of the state's congressional delegation in support of the action.

“In light of violent protest activity, the corps has taken a necessary step to protect public safety. Now, the protesters should respect the law and peacefully leave the protest area. The well-being and property of ranchers, farmers and everyone else living in the region should not be threatened by protesters who are willing to commit acts of violence," Hoeven said in a statement released Saturday.

While Dalrymple said he supports the corps’ decision to close the property, he stressed the federal government must take the lead in enforcing the closure. The governor said the property should be closed due to ongoing public safety concerns involving unlawful protests and because of the serious health risk to those camping in subzero weather. A major weather storm is expected to hit the area Sunday night and into Monday, according to the National Weather Service in Bismarck.

“Our state and local law enforcement agencies continue to do all they can to keep private property and public infrastructure free from unpermitted protest activities, and it's past time that the federal government provides the law enforcement resources needed to support public safety and to enforce their own order to vacate,” Dalrymple said. “For more than 100 days now, the federal government has allowed protesters to illegally entrench themselves on corps land and it is the federal government’s responsibility to lead the camp’s peaceful closure.”

North Dakota has spent more than $10 million to provide enhanced law enforcement security since pipeline protests began in August.

Dalrymple also continues to press the Obama administration to make a decision on the Dakota Access Pipeline’s easement for a river crossing. The governor said the additional delay does nothing but prolong and intensify the public safety issues imposed on Morton County and the state.

Sen. Heidi Heitkamp, D-N.D., also stressed that the Obama administration must bring the situation to a close.

"That also means the administration must make a decision on the easement under Lake Oahe. For too long, we have waited in limbo as the decision is put off. This issue needs to be put to rest once and for all for the sake of the safety of our communities," she said in a statement released Saturday.

A Dakota Pipeline’s Last Stand

By Steven Mufson

Washington Post, November 25, 2016

In the Dakota language, the word “oahe” signifies “a place to stand on.”

And that’s what the Standing Rock Sioux and its allies in the environmental and activist movements say they are doing: using Lake Oahe in North Dakota as a place to take a stand by setting up camps and blocking roads in order to block the controversial $3.7 billion Dakota Access pipeline.

Their confrontations with police — who have responded with water cannons, pepper spray and rubber bullets — have steered attention to the 1,170-mile long oil pipeline project and its owner, Energy Transfer Partners. But the real source of Native Americans’ grievance stretches back more

than a century, to the original government incursions on their tribal lands. And those earlier disputes over their rights to the land, like the one over the Dakota Access pipeline, pitted the tribes against a persistent force, the Army Corps of Engineers.

The federal government has been taking land from Lakota and Dakota people for 150 years, tribal leaders say, from the seizure of land in the Black Hills of South Dakota after the discovery of gold in the 1870s to the construction of dams in the Missouri River that flooded villages, timber land and farmland in the Dakotas in the 1950s.

Through the ages, the warring tribes of the Northern Plains lived, hunted and fought across a sprawling expanse of land. Many were migratory, moving with the seasons. Each treaty with the U.S. government, most notably the 1851 and 1868 treaties of Fort Laramie, restricted their movement further though left them large areas west of the Missouri River and recognized them as sovereign nations.

Much of this was contested, leading to Gen. George A. Custer's ill-fated military campaign to protect miners. Later land was taken to make way for homesteading.

In 1889, Congress passed legislation that created the modern reservation system, pushing the Sioux, also known as Lakota, into smaller areas. And later in the 1900s a series of dams across the Missouri River rolled back the scope of those reservations too.

"This government honors international treaties like they are the Holy Grail, but within our own homeland they find ways to break them," said Standing Rock Sioux chairman David Archambault, who under the treaties and American law is the head of a domestic sovereign nation.

Lake Oahe illustrates his point. The lake, the site of the current dispute, exists because of a dam project built by the Army Corps of Engineers, the same agency that has been weighing whether and where the Dakota Access pipeline could be built.

Empowered by the flood control act of 1944, the Army Corps erected the Oahe Dam in central South Dakota, forming a reservoir that extends about 250 miles upstream to within a short distance of Bismarck, N.D. In 1962, President John F. Kennedy dedicated the dam, hailing it as a symbol of a free society tapping its natural resources.

But for the Lakota tribes, the dam didn't exploit natural resources. It buried them.

The project inundated and destroyed the Standing Rock Sioux tribe's "most fertile bottom lands," home to medicinal plants, wildlife and timber, said Everett J. Iron Eyes, Sr., former water and natural resource director for the Standing Rock Sioux tribe and now a water consultant. In the process, he said, the Army Corps acquired 56,000 acres of land and destroyed 90 percent of the tribe's timber land.

The Army Corps simply condemned the land and paid little to no compensation. The Standing Rock Sioux sued and won compensation — $90.5 million in a trust fund from which it can draw only from the interest on the account to spend on social welfare and economic development.

Iron Eyes said that the government also changed the tribe's water boundaries. Originally, according to the act of Congress in 1889, the tribe's territorial boundary stopped at the low water level mark on the east bank, giving it ownership of the water and river bed. After building the dam, the Army Corps seized strips of land on either side of the river. Those strips are the areas in dispute now, giving the Army Corps a central role in letting Energy Transfer Partners complete the line, or not.

"When they dammed the Missouri River they did it specifically and purposely so that it would flood the Standing Rock reservation," said Harry Sachse, a partner at the Washingtonfirm of Sonosky, Chambers, Sachse, Endreson & Perry and who has represented other Native American tribes. "So the Standing Rock tribe still feels very abused. The government drowned all of the towns the tribe built along the river."

Under the Fort Laramie treaties, the Standing Rock Sioux's northern border was recognized as the Heart River, which winds up to Bismarck, about 25 miles north of the Cannonball River that was

declared the northern border by an act of Congress in 1889. The pipeline battles of the past three months have taken place near the Cannonball.

"They violated every treaty ever made with the tribe," Iron Eyes said.

"It's important not to lose sight of the greater sovereignty issue," said Jennifer Baker, a senior associate at the law firm Fredericks Peebles & Morgan who has represented tribes. "That's what the DAPL fight and all the fights against these ticking environmental bombs really boil down to. To overlook that would be to not do justice to such an important cause."

The Standing Rock Sioux are not alone in harboring old grievances, many involving the Army Corps and its dams, Sachse says.

The Kinzua dam on the Alleghany River built in the 1960s forced more than 600 Seneca families to leave their homes and submerged 10,000 acres of ancestral land. Indians say the project, built by the Army Corps, broke a 1794 treaty signed by President George Washington.

The Colville tribe sued the government over the Grand Cooley Dam, which blocked salmon fishing sites the tribe had used for centuries. The tribe was eventually awarded $52 million and a percentage of the dam's electricity that turned out to be worth about $25 million a year, said Sachse, who represented the Colville tribe.

In Minnesota earlier this year, the Prairie Island Indian Community bought 112 acres of agricultural land near St. Paul to secure a future home. On its reservation, about 30 miles southeast of the Twin Cities, the tribe has wrestled with flooding from the Mississippi and Vermillion Rivers. The reservation has approximately 3,100 acres of land held in trust by the U.S. government. Located in the 100-year floodplain, the land is unusable for development.

In addition, an increase in rail traffic, including trains carrying crude oil, often blocks the only access point to Prairie Island, according to the tribe's Web site.

Native American disputes are not just history; they are still alive.

In 1980, the Supreme Court affirmed a Court of Claims ruling and awarded $106 million to the Sioux tribes for the illegal seizure of the Black Hills. "A more ripe and rank case of dishonorable dealings will never, in all probability, be found in our history," the court said. But the Sioux rejected the money and continue to seek the return of the land.

Will the Dakota Access pipeline take a place in a bitter history? The pipeline would carry as much as 570,000 barrels a day of shale oil from North Dakota's Bakken field to the pipeline networks in Patoka, Ill. Along the way it crosses more than 200 waterways, including the Missouri upstream from the Standing Rock Sioux's facilities for siphoning off drinking water.

The company did not advance its cause when its chief executive Kelcy Warren said in an interview on PBS that he wished the tribe had consulted with Energy Transfer Partners earlier. Nor did the North Dakota Public Service Commission chair Julie Fedorchak, who told National Public Radio that the Standing Rock Sioux failed to take part in the 11-month permit process or in 30 hours of open hearings, and that their efforts to reach chairman Archambault were futile.

Archambault said in an interview with The Post that the tribal council had in fact met with Energy Transfer executives at the tribal headquarters in September 2014 and that the tribal leaders had clearly stated their opposition to the pipeline.

The tribe had passed a resolution in 2012 opposing new pipelines and declared a moratorium on hydraulic fracturing, or fracking within its borders "because we see the destruction done to mother earth," Archambault added. Shale oil produced by fracking in western North Dakota is the main source of crude for the Dakota Access pipeline project.

Last week the tribe posted on its Facebook page a recording of the 2014 meeting, in which Archambault warned the pipeline company representatives that the tribe still recognizes the Fort Laramie borders, and therefore the pipeline that the company considered 1,500 feet north of the reservation was, in fact, part of the tribe's territory.

"So just that you know this is something that the tribe is not supporting," he said on the recording.

Archambault, in his interview with The Post this year, said Energy Transfer Partners and the PUC members fundamentally didn't understand the issue around the pipeline.

"They would consider us a stakeholder, but we're a nation," he said. "We would hope and pray they would understand that and consider a more formal government to government relationshp with the tribe rather than treat us as a stakeholder."

Energy Transfer Partners, which on Monday announced a merger with Sunoco in an exchange of shares, had once hoped to keep the Dakota Access pipeline out of the limelight. It has argued that this pipeline isn't unusual. A natural gas pipeline lies along a similar route. And railroads pose similar hazards. This pipeline, the company says, is just one of hundreds of pipelines that carry crude oil, natural gas and refined petroleum products across the country.

The Standing Rock Sioux have raised concerns about a possible pipeline leak in the Missouri River; other pipelines have leaked into rivers over the past five years, including some relatively new ones. Warren, the chief executive, says the pipeline's foes need not worry about leaks or accidents. The pipeline, he says, is made of extra thick steel and will run 90 to 115 feet below the bottom of Lake Oahe.

But the Native American opposition to the pipeline project runs much deeper than that.

SOUTH DAKOTA:

Fall Fieldwork In South Dakota Not Impacted By First Storm

Associated Press, November 25, 2016

SIOUX FALLS, S.D. (AP) — South Dakota farmers had completed most of their fall fieldwork before the state saw its first winter storm of the season, but some corn and sunflowers remain unharvested.

The Agriculture Department in its latest weekly crop report says 3 percent of both the corn and sunflower crops remain in the field.

The report says about half of the state's winter wheat crop is in good to excellent condition. Only 9 percent is rated poor or very poor.

Pasture and range conditions statewide are rated 35 percent good to excellent. Stock water supplies are 68 percent adequate to surplus.

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UTAH:

Utah Under Winter Storm Warming Through Tuesday

Associated Press, November 27, 2016

SALT LAKE CITY (AP) – The National Weather Service says a winter storm warning will be in effect until Tuesday morning.

The warning applies to the Wasatch Mountains, the Western Uinta Mountains, Book Cliffs and Wasatch Plateau, along with the central and southern mountains of Utah.

The NWS expects 18 to 30 inches of snow or more along the northern part of the state.

The service also expects a stronger storm to arrive Monday through Monday night.

Drivers should expect poor conditions, especially on Monday into early Tuesday morning.

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Small 3.2 Magnitude Earthquake Felt Around Salt Lake Valley

Associated Press, November 25, 2016

SALT LAKE CITY (AP) – A small earthquake south of Salt Lake City on Friday morning was felt by some 200 people in the area.

The University of Utah Seismograph Stations said in a news release Friday that the magnitude 3.2 quake occurred at 8:45 southwest of Bluffdale in the southern end of the Salt Lake City metro area.

Seismologist Relu Burlacu says reports have come in from around the area including in Sandy, South Jordan and Salt Lake City.

The largest earthquake recorded in the area came in 1992 when a magnitude 4.1 hit.

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- Tribune staff
- Nov 26, 2016

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The project inundated and destroyed the Standing Rock Sioux tribe’s “most fertile bottom lands,” home to medicinal plants, wildlife and timber, said Everett J. Iron Eyes, Sr., former water and natural resource director for the Standing Rock Sioux tribe and now a water consultant. In the process, he said, the Army Corps acquired 56,000 acres of land and destroyed 90 percent of the tribe’s timber land.

The Army Corps simply condemned the land and paid little to no compensation. The Standing Rock Sioux sued and won compensation — $90.5 million in a trust fund from which it can draw only from the interest on the account to spend on social welfare and economic development.

Iron Eyes said that the government also changed the tribe’s water boundaries. Originally, according to the act of Congress in 1889, the tribe’s territorial boundary stopped at the low water level mark on the east bank, giving it ownership of the water and river bed. After building the dam, the Army Corps seized strips of land on either side of the river. Those strips are the areas in dispute now, giving the Army Corps a central role in letting Energy Transfer Partners complete the line, or not.

“When they dammed the Missouri River they did it specifically and purposely so that it would flood the Standing Rock reservation,” said Harry Sachse, a partner at the Washingtonfirm of Sonosky, Chambers, Sachse, Endreson & Perry and who has represented other Native American tribes. “So the Standing Rock tribe still feels very abused. The government drowned all of the towns the tribe built along the river.”

Under the Fort Laramie treaties, the Standing Rock Sioux’s northern border was recognized as the Heart River, which winds up to Bismarck, about 25 miles north of the Cannonball River that was declared the northern border by an act of Congress in 1889. The pipeline battles of the past three months have taken place near the Cannonball.

“They violated every treaty ever made with the tribe,” Iron Eyes said.

“It’s important not to lose sight of the greater sovereignty issue,” said Jennifer Baker, a senior associate at the law firm Fredericks Peebles & Morgan who has represented tribes. “That’s what the DAPL fight and all the fights against these ticking environmental bombs really boil down to. To overlook that would be to not do justice to such an important cause.”

The Standing Rock Sioux are not alone in harboring old grievances, many involving the Army Corps and its dams, Sachse says.

The Kinzua dam on the Alleghany River built in the 1960s forced more than 600 Seneca families to leave their homes and submerged 10,000 acres of ancestral land. Indians say the project, built by the Army Corps, broke a 1794 treaty signed by President George Washington.

The Colville tribe sued the government over the Grand Cooley Dam, which blocked salmon fishing sites the tribe had used for centuries. The tribe was eventually awarded $52 million and a percentage of the dam’s electricity that turned out to be worth about $25 million a year, said Sachse, who represented the Colville tribe.

In Minnesota earlier this year, the Prairie Island Indian Community bought 112 acres of agricultural land near St. Paul to secure a future home. On its reservation, about 30 miles southeast of the Twin Cities, the tribe has wrestled with flooding from the Mississippi and Vermillion Rivers. The reservation has

approximately 3,100 acres of land held in trust by the U.S. government. Located in the 100-year floodplain, the land is unusable for development.

In addition, an increase in rail traffic, including trains carrying crude oil, often blocks the only access point to Prairie Island, according to the tribe's Web site.

Native American disputes are not just history; they are still alive.

In 1980, the Supreme Court affirmed a Court of Claims ruling and awarded $106 million to the Sioux tribes for the illegal seizure of the Black Hills. "A more ripe and rank case of dishonorable dealings will never, in all probability, be found in our history," the court said. But the Sioux rejected the money and continue to seek the return of the land.

Will the Dakota Access pipeline take a place in a bitter history? The pipeline would carry as much as 570,000 barrels a day of shale oil from North Dakota's Bakken field to the pipeline networks in Patoka, Ill. Along the way it crosses more than 200 waterways, including the Missouri upstream from the Standing Rock Sioux's facilities for siphoning off drinking water.

The company did not advance its cause when its chief executive Kelcy Warren said in an interview on PBS that he wished the tribe had consulted with Energy Transfer Partners earlier. Nor did the North Dakota Public Service Commission chair Julie Fedorchak, who told National Public Radio that the Standing Rock Sioux failed to take part in the 11-month permit process or in 30 hours of open hearings, and that their efforts to reach chairman Archambault were futile.

Archambault said in an interview with The Post that the tribal council had in fact met with Energy Transfer executives at the tribal headquarters in September 2014 and that the tribal leaders had clearly stated their opposition to the pipeline.

The tribe had passed a resolution in 2012 opposing new pipelines and declared a moratorium on hydraulic fracturing, or fracking within its borders "because we see the destruction done to mother earth," Archambault added. Shale oil produced by fracking in western North Dakota is the main source of crude for the Dakota Access pipeline project.

Last week the tribe posted on its Facebook page a recording of the 2014 meeting, in which Archambault warned the pipeline company representatives that the tribe still recognizes the Fort Laramie borders, and therefore the pipeline that the company considered 1,500 feet north of the reservation was, in fact, part of the tribe's territory.

"So just that you know this is something that the tribe is not supporting," he said on the recording.

Archambault, in his interview with The Post this year, said Energy Transfer Partners and the PUC members fundamentally didn't understand the issue around the pipeline.

"They would consider us a stakeholder, but we're a nation," he said. "We would hope and pray they would understand that and consider a more formal government to government relationshp with the tribe rather than treat us as a stakeholder."

Energy Transfer Partners, which on Monday announced a merger with Sunoco in an exchange of shares, had once hoped to keep the Dakota Access pipeline out of the limelight. It has argued that this pipeline isn't unusual. A natural gas pipeline lies along a similar route. And railroads pose similar hazards. This pipeline, the company says, is just one of hundreds of pipelines that carry crude oil, natural gas and refined petroleum products across the country.

The Standing Rock Sioux have raised concerns about a possible pipeline leak in the Missouri River; other pipelines have leaked into rivers over the past five years, including some relatively new ones. Warren, the chief executive, says the pipeline's foes need not worry about leaks or accidents. The pipeline, he says, is made of extra thick steel and will run 90 to 115 feet below the bottom of Lake Oahe.

But the Native American opposition to the pipeline project runs much deeper than that.

SOUTH DAKOTA:

Fall Fieldwork In South Dakota Not Impacted By First Storm

Associated Press, November 25, 2016

SIOUX FALLS, S.D. (AP) — South Dakota farmers had completed most of their fall fieldwork before the state saw its first winter storm of the season, but some corn and sunflowers remain unharvested.

The Agriculture Department in its latest weekly crop report says 3 percent of both the corn and sunflower crops remain in the field.

The report says about half of the state's winter wheat crop is in good to excellent condition. Only 9 percent is rated poor or very poor.

Pasture and range conditions statewide are rated 35 percent good to excellent. Stock water supplies are 68 percent adequate to surplus.

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UTAH:

Utah Under Winter Storm Warming Through Tuesday

Associated Press, November 27, 2016

SALT LAKE CITY (AP) – The National Weather Service says a winter storm warning will be in effect until Tuesday morning.

The warning applies to the Wasatch Mountains, the Western Uinta Mountains, Book Cliffs and Wasatch Plateau, along with the central and southern mountains of Utah.

The NWS expects 18 to 30 inches of snow or more along the northern part of the state.

The service also expects a stronger storm to arrive Monday through Monday night.

Drivers should expect poor conditions, especially on Monday into early Tuesday morning.

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Small 3.2 Magnitude Earthquake Felt Around Salt Lake Valley

Associated Press, November 25, 2016

SALT LAKE CITY (AP) – A small earthquake south of Salt Lake City on Friday morning was felt by some 200 people in the area.

The University of Utah Seismograph Stations said in a news release Friday that the magnitude 3.2 quake occurred at 8:45 southwest of Bluffdale in the southern end of the Salt Lake City metro area.

Seismologist Relu Burlacu says reports have come in from around the area including in Sandy, South Jordan and Salt Lake City.

The largest earthquake recorded in the area came in 1992 when a magnitude 4.1 hit.

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From: DeFelice, Jerome
Sent: 31 Jan 2017 11:01:29 -0500
To: R8 ALL PFTs-CORES
Cc: (b)(6) (b)(6)@state.co.us; (b)(6)@mail.mil; (b)(6)@mail.mil; (b)(6)@nd.gov (b)(6)@state.sd.us; (b)(6)@state.sd.us (b)(6)@utah.gov (b)(6)@wyo.gov (b)(6)@acf.hhs.gov (b)(6)@usace.army.mil; (b)(6)@usace.army.mil; (b)(6)@state.mn.us;Peterson, Mark J; (b)(6)@hhs.gov (b)(6)@hhs.gov; (b)(6)@hhs.gov; (b)(6)@sba.gov; (b)(6)@sba.gov;Nelson, Jason; (b)(6)@fs.fed.us;Alexander, Daniel
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Written by Dean Penner



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By WDAY on Jan 30, 2017 at 9:29 p.m.

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Local News
Jan 29, 2017
Jill Schramm
Staff Writer
jschramm@minotdailynews.com

Legislative funding for the first four phases of Minot flood protection remains a possibility, despite a decline in the revenue available for water projects, according to state Rep. Roscoe Streyle, R-Minot.

Speaking at the Minot Area Chamber of Commerce legislative forum Saturday, Streyle said a legislative committee is taking a different approach to funding water projects – shunning earmarks to create "buckets" of funds for categories of projects. The flood bucket is projected to contain somewhere in the range of $150 million to $165 million.

"We are still trying to figure out what that dollar amount is, but there will be no earmarks," Streyle said. The governor's budget had included $70 million for Souris River flood control, which is short of the amount needed to complete that fourth phase of construction that the Souris River Joint Board hopes to include in the scope of work this biennium.

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"There's more than enough money in that bucket to fund more for each project," Streyle said, noting the intent is to provide around $80 million for Minot.

Another $65 million to $70 million is in a water bucket that would include the Northwest Area Water Supply project, he said. By remaining flexible rather than earmarking money, there is opportunity to direct needed funds to NAWS if a federal court rules favorably and restarts construction, he said. A lawsuit brought by Manitoba over potential organism transfer between river basins and by the state of Missouri over river water depletion has held up the project, designed to bring Missouri River water to the Minot region.

Overall, money collected from oil taxes for water projects is down, but not to the extent that projects can't go forward, Streyle said.

“There’s a lot of money in that fund even at the depressed prices. We are even looking at doing some guaranteed funding availability on the flood side,” Streyle said, “where we would guarantee Minot the funding availability for the first four phases, which I think is critical.”
The first four phases include work on levees and flood walls on the western portion of the project in Minot. The work is estimated to protect about 60 percent of the at-risk population in the city.
Legislators at the forum also addressed other budget issues, including property-tax relief and new revenue sources.

Sen. Randy Burckhard spoke about Senate Bill 2206, which would have the state take over the cost of county social services. The cost is estimated at $275 million. Currently, counties can levy up to 20 mills for social services.

“It However, he added, the $825 million fiscal note is far over-stated, having been determined by the Legislative Council based on an interpretation of the bill that wasn’t quite what he had intended. Louser said he will be proposing the bill be turned into an interim study.

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By Jacob Passy
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Sent: 8 Feb 2017 12:52:27 -0500
To: R8 ALL PFTs-CORES
Cc: (b)(6) (b)(6)@state.co.us;(b)(6)@mail.mil;(b)(6)@mail.mil;(b)(6)@nd.gov;(b)(6)@state.sd.us;(b)(6)@state.sd.us;(b)(6)@utah.gov;(b)(6)@wyo.gov;(b)(6)@acf.hhs.gov;(b)(6)@usace.army.mil;(b)(6)@usace.army.mil;(b)(6)@state.mn.us;Peterson, Mark J;(b)(6)@hhs.gov;(b)(6)@hhs.gov;(b)(6)@hhs.gov;(b)(6)@sba.gov;(b)(6)@sba.gov;Nelson, Jason;(b)(6)@fs.fed.us;Alexander, Daniel;(b)(6)@atf.gov
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Hydrology study recommends higher peak discharges

By David Persons
Trail-Gazette

POSTED: 02/08/2017 06:51:45 AM MST

The recently-released hydrology study of four key watersheds in the Estes Valley is technical in nature and lengthy (333 pages).

However, there are a couple takeaways from this study that can be easily understood.

First, the study of the four watersheds — Fall River, Upper Big Thompson River, Black Canyon Creek, and Dry Gulch — will not replace current peak discharges that are used to update hydrology and floodplain mapping until it goes through a review process and ultimately approved by the Federal Emergency Management Agency (FEMA).

Second, the study reveals that it is recommending that peak discharges for 100-year flood events be greatly increased. The FEMA principal regulatory floodplain boundary is

determined by the 100-year flood event. Therefore, that will have a definite impact, if accepted, on local floodplain mapping.

These points and many others will be discussed at an education meeting 6 p.m. Feb. 27 at the Estes Park Event Center. The hydrology study can be found online at https://www.colorado.gov/townofestespark/floodmitigation. Just click on Read the Hydrology Study Report.

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The additional stream gauge data includes information from the 1976 Big Thompson flood, the 1982 Lawn Lake flood, and a significant event in 1965 when Fall River overflowed.

"Effective hydrology" refers to the regulatory peak discharges used by FEMA for flood insurance purposes.

Previous hydrologic and hydraulic analyses — Gingery Associates in 1977 and Limons, Li & Associates, Inc. in 1985 — were also studied and analyzed in this report.

According to Estes Park Floodplain Manager Tina Kurtz, the study uses all existing information, including the 2013 discharge data.

"The study includes data from a number of parameters, such as rainfall, soil types and infiltration rates, in addition to discharge data," Kurtz said. "Also, we now have more advanced methodologies and technology to determine peak discharges than were available in the 1970s."

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When studying the 100-year peak discharges in this table, it is obvious that every location (with the exception of Dry Gulch) has a greatly increased discharge flow. Some are doubled

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By Matt Steiner
Colorado Springs (CO) Gazette, February 7, 2017

The Board Of County Commissioners begin their meeting with an invocation following the oath of office for the new County Commissioners at Centennial Hall on Tuesday, January 10, 2017. Photo by Stacie Scott, The Gazette

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Commissioner Peggy Littleton spearheaded a campaign over the past two months to pursue the Federal Emergency Management Agency money. She says that the Pikes Peak region, which is home to the U.S. Army's Fort Carson, Schriever and Peterson Air Force bases, the U.S. Air Force Academy, and the North American Aerospace Defense Command, needs to stay on top of any potential threat.

Littleton was echoed by several city, military and regional leaders that signed letters of support and others who attended a mid-December meeting where Littleton introduced the grant opportunity.

"This project is tailor-made for Colorado Springs and the rest of the region," said Art Glynn, a defense consultant who was at the December meeting.

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Among the regional partners involved are the county, the City of Colorado Springs, all of the area's military bases, the YMCA of the Pikes Peak Region, the City of Fountain, Colorado Springs Airport and the Council of Neighbors and Organizations.

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February 06, 2017 at 8:30 pm | By SAM WILSON Daily Inter Lake

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NORTH DAKOTA:

Corps to issue DAPL easement as soon as Wednesday afternoon

- CAROLINE GRUESKIN Bismarck Tribune
- 20 hrs ago

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The decision comes two weeks after President Donald Trump asked federal agencies to speed up their review of the crude oil pipeline that tribal and environmental activists have protested for months.

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"I have determined that there is no cause for completing any additional environmental analysis," wrote Douglas Lamont, senior official performing the duties of the assistant secretary of the army (Civil Works) in a court filing.

Lamont said his analysis justified reversing an earlier decision made under the Obama administration to explore alternative routes and conduct a full environmental impact statement. A notice terminating the study will be published in the Federal Register, according to filings in the federal court case between the Standing Rock Sioux Tribe and the corps.

Deputy Assistant Army Secretary Paul Cramer notified Congress Tuesday that the corps would grant the easement and waive its normal policy of waiting two weeks after notifying Congress to do so.

The $3.8 billion crude oil pipeline, meant to carry oil from the Bakken to Illinois, has been at a standstill for months due to protests and court challenges from the Standing Rock Sioux Tribe and its Native American and environmentalist allies. The tribe worries the pipeline puts its drinking water and sacred sites at risk. The company has said it is safe.

On Jan. 18, the corps began collecting public comment for a full environmental impact statement regarding the pipeline easement. Shortly after assuming office, Trump signed a memorandum directing the agency to expedite its review.

Lawyers for the company reportedly said in court Monday that construction would be completed in about 60 days and oil could be flowing in about 83. An spokeswoman for pipeline developer Energy Transfer Partners did not respond to an emailed request for comment on Tuesday.

Following the decision, the Standing Rock said the tribe planned to sue on the grounds the EIS was wrongfully terminated.

“The Obama administration correctly found that the Tribe’s treaty rights must be respected and that the easement should not be granted without further review and consideration of alternative crossing locations," Hasselman said. "Trump’s reversal of that decision continues a historic pattern of broken promises to Indian tribes and a violation of treaty rights."

Standing Rock Tribal Chairman Dave Archambault II said, "The Trump administration — yet again — is poised to set a precedent that defies the law and the will of Americans and our allies around the world."

The tribe also plans to hold a march in Washington on March 10 and will "seek to shut the pipeline operations down" if it is constructed, according to a release.

Archambault is again asking supporters to advocate from home and not return to protest in North Dakota, where the state and tribe have been working to clean up the protest camps where several hundred people still live and protest the pipeline.

"Please respect our people and do not come to Standing Rock and instead exercise your First Amendment rights and take this fight to your respective state capitols, to your members of Congress and to Washington, D.C.," he said.

Protest organizers are calling for supporters to protest Wednesday in a "#NoDAPL Last Stand" at their local federal buildings, corps offices and banks financing the pipeline.

"The granting of an easement, without any environmental review or tribal consultation, is not the end of this fight — it is the new beginning," Tom Goldtooth, executive director of the Indigenous Environmental Network, said in a statement. "Expect mass resistance far beyond what Trump has seen so far."

State leaders quickly applauded the Army's decision, heralding it as a win for energy infrastructure and expressing hope it would bring about the end of months-long protests in southern Morton County.

"Our nation needs new energy infrastructure, which means we must have a process to build safe, efficient and environmentally sound projects like pipelines and power lines," Sen. John Hoeven, R-N.D., said in a statement.

Hoeven also said he supports a review of the permitting process for future projects to ensure fairness and opportunity to be heard on all sides.

"For the North Dakota families, workers and tribes who have felt the impact of the Dakota Access Pipeline conflict every day — today's announcement by the U.S. Army Corps of Engineers brings this issue one step closer to final resolution — and delivers the certainty and clarity I've been demanding," Sen. Heidi Heitkamp, D-N.D., said in a statement.

Gov. Doug Burgum called the easement a "step toward the completion of this important infrastructure project" but said his top priority remained public safety and cleanup of the protest camps before a potential spring flood.

"We continue to support the Standing Rock Sioux Tribe's request that protesters leave the area and go home. We also continue to ask for additional federal law enforcement to assist local and state authorities in peacekeeping and provide a safe environment for all North Dakotans until construction is completed," Burgum said.

Reach Caroline Grueskin at 701-250-8225 or at caroline.grueskin@bismarcktribune.com

SOUTH DAKOTA:

UTAH:

Avalanche Closes US Highway 89 In Utah Snowstorm

Associated Press, February 7, 2017

SALT LAKE CITY (AP) – An avalanche closed a stretch of U.S. Highway 89 north of Logan on Tuesday as a wet storm packing heavy snow and strong winds shut down two northern Utah ski resorts and triggered a winter storm warning across much of the state.

The National Weather Service issued the storm warning effective until 4 a.m. Wednesday for most of north-central Utah from the Idaho and Wyoming state lines south to U.S. Interstate 70.

Ten inches of snow fell overnight in the Wasatch range north of Interstate 80 at Powder Mountain and 8 inches south of I-80 at Brighton Crest, the service said Tuesday. An 80 mph gust of wind was recorded at Ogden Peak on Monday night.

Another 3 to 6 inches of snow was expected in the upper elevations into early Wednesday, with winds gusting in excess 60 mph above 7,500 feet. "The combination of strong winds and heavy snow will likely create periods of near-zero visibility due to blowing snow," the service said.

The extreme conditions forced the closure Tuesday of Sundance Mountain Resort northeast of Provo and the Powder Mountain Resort northeast of Ogden.

The U.S. Forest Services' Utah Avalanche Center in Salt Lake City issued an avalanche warning effective until 6 a.m. Wednesday for backcountry recreationists in northern Utah and southeastern Idaho, including the Wasatch, western Uinta, Bear River and Wellsville ranges.

U.S. Highway 89 would be closed indefinitely through Logan Canyon after an avalanche crossed a section of road known as the Dugway on Tuesday afternoon, state transportation officials said.

There were no immediate reports of any injuries. Travelers were advised to use I-80/84 through Evanston, Wyoming or Idaho Highway 36 via Preston, Idaho.

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Wednesday, Feb 8, 2017

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STORIES

COLORADO:

Hydrology study recommends higher peak discharges

By David Persons
Trail-Gazette

POSTED: 02/08/2017 06:51:45 AM MST

The recently-released hydrology study of four key watersheds in the Estes Valley is technical in nature and lengthy (333 pages).

However, there are a couple takeaways from this study that can be easily understood.

First, the study of the four watersheds — Fall River, Upper Big Thompson River, Black Canyon Creek, and Dry Gulch — will not replace current peak discharges that are used to update hydrology and floodplain mapping until it goes through a review process and ultimately approved by the Federal Emergency Management Agency (FEMA).

Second, the study reveals that it is recommending that peak discharges for 100-year flood events be greatly increased. The FEMA principal regulatory floodplain boundary is determined by the 100-year flood event. Therefore, that will have a definite impact, if accepted, on local floodplain mapping.

These points and many others will be discussed at an education meeting 6 p.m. Feb. 27 at the Estes Park Event Center. The hydrology study can be found online at https://www.colorado.gov/townofestespark/floodmitigation. Just click on Read the Hydrology Study Report.

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“The Obama administration correctly found that the Tribe’s treaty rights must be respected and that the easement should not be granted without further review and consideration of alternative crossing locations," Hasselman said. "Trump’s reversal of that decision continues a historic pattern of broken promises to Indian tribes and a violation of treaty rights."

Standing Rock Tribal Chairman Dave Archambault II said, "The Trump administration — yet again — is poised to set a precedent that defies the law and the will of Americans and our allies around the world."

The tribe also plans to hold a march in Washington on March 10 and will "seek to shut the pipeline operations down" if it is constructed, according to a release.

Archambault is again asking supporters to advocate from home and not return to protest in North Dakota, where the state and tribe have been working to clean up the protest camps where several hundred people still live and protest the pipeline.

"Please respect our people and do not come to Standing Rock and instead exercise your First Amendment rights and take this fight to your respective state capitols, to your members of Congress and to Washington, D.C.," he said.

Protest organizers are calling for supporters to protest Wednesday in a "#NoDAPL Last Stand" at their local federal buildings, corps offices and banks financing the pipeline.

"The granting of an easement, without any environmental review or tribal consultation, is not the end of this fight — it is the new beginning," Tom Goldtooth, executive director of the Indigenous Environmental Network, said in a statement. "Expect mass resistance far beyond what Trump has seen so far."

State leaders quickly applauded the Army's decision, heralding it as a win for energy infrastructure and expressing hope it would bring about the end of months-long protests in southern Morton County.

"Our nation needs new energy infrastructure, which means we must have a process to build safe, efficient and environmentally sound projects like pipelines and power lines," Sen. John Hoeven, R-N.D., said in a statement.

Hoeven also said he supports a review of the permitting process for future projects to ensure fairness and opportunity to be heard on all sides.

"For the North Dakota families, workers and tribes who have felt the impact of the Dakota Access Pipeline conflict every day — today’s announcement by the U.S. Army Corps of Engineers brings this issue one step closer to final resolution — and delivers the certainty and clarity I’ve been demanding," Sen. Heidi Heitkamp, D-N.D., said in a statement.

Gov. Doug Burgum called the easement a "step toward the completion of this important infrastructure project" but said his top priority remained public safety and cleanup of the protest camps before a potential spring flood.

“We continue to support the Standing Rock Sioux Tribe’s request that protesters leave the area and go home. We also continue to ask for additional federal law enforcement to assist local and state authorities in peacekeeping and provide a safe environment for all North Dakotans until construction is completed,” Burgum said.

Reach Caroline Grueskin at 701-250-8225 or at caroline.grueskin@bismarcktribune.com

SOUTH DAKOTA:

UTAH:

Avalanche Closes US Highway 89 In Utah Snowstorm

Associated Press, February 7, 2017

SALT LAKE CITY (AP) – An avalanche closed a stretch of U.S. Highway 89 north of Logan on Tuesday as a wet storm packing heavy snow and strong winds shut down two northern Utah ski resorts and triggered a winter storm warning across much of the state.

The National Weather Service issued the storm warning effective until 4 a.m. Wednesday for most of north-central Utah from the Idaho and Wyoming state lines south to U.S. Interstate 70.

Ten inches of snow fell overnight in the Wasatch range north of Interstate 80 at Powder Mountain and 8 inches south of I-80 at Brighton Crest, the service said Tuesday. An 80 mph gust of wind was recorded at Ogden Peak on Monday night.

Another 3 to 6 inches of snow was expected in the upper elevations into early Wednesday, with winds gusting in excess 60 mph above 7,500 feet. "The combination of strong winds and heavy snow will likely create periods of near-zero visibility due to blowing snow," the service said.

The extreme conditions forced the closure Tuesday of Sundance Mountain Resort northeast of Provo and the Powder Mountain Resort northeast of Ogden.

The U.S. Forest Services' Utah Avalanche Center in Salt Lake City issued an avalanche warning effective until 6 a.m. Wednesday for backcountry recreationists in northern Utah and southeastern Idaho, including the Wasatch, western Uinta, Bear River and Wellsville ranges.

U.S. Highway 89 would be closed indefinitely through Logan Canyon after an avalanche crossed a section of road known as the Dugway on Tuesday afternoon, state transportation officials said.

There were no immediate reports of any injuries. Travelers were advised to use I-80/84 through Evanston, Wyoming or Idaho Highway 36 via Preston, Idaho.

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WYOMING:

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Sent: 15 Feb 2017 12:14:07 -0500
To: R8 ALL PFTs-CORES
Cc: (b)(6) (b)(6)@state.co.us;(b)(6)@mail.mil;(b)(6)@mail.mil;(b)(6)@nd.gov;(b)(6)@state.sd.us(b)(6)@state.sd.us;(b)(6)@utah.gov(b)(6)@wyo.gov;(b)(6)@acf.hhs.gov(b)(6)@usace.army.mil(b)(6)@usace.army.mil;(b)(6)@state.mn.us;mark.peterson2@dhs.gov(b)(6)@hhs.gov(b)(6)@hhs.gov(b)(6)@hhs.gov;(b)(6)@sba.gov;(b)(6)@sba.gov;Nelson, Jason(b)(6)@fs.fed.us;Alexander,(b)(6)@atf.gov(b)(6)@aveshka.com
Subject: Region VIII News Desk, Wed, Feb 15
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Region VIII Clips

Wednesday, Feb 15, 2017

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This aerial photo shows a site where the final phase of the Dakota Access Pipeline will take place with boring equipment routing the pipeline underground and across Lake Oahe to connect with the existing pipeline in Emmons County, Feb. 13, 2017, in Cannon Ball, N.D.

By The Associated Press

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By Blake Nicholson, *The Associated Press*

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A section of the Dakota Access Pipeline under construction near the town of St. Anthony in Morton County, N.D., on June 29, 2016.

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State officials warn of river contamination

- LAUREN DONOVAN Bismarck Tribune

Lauren Donovan

Expected near-record temperatures and rapid snow melt are increasing the risk of high water by week's end at the Dakota Access Pipeline protest camps — and state officials are worried time is running out to prevent contamination of the rivers there.

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The camp is on corps land and remains occupied by 300 to 400 people in yurts, teepees, fortified tents and other structures. Much of the camp area has been cleared out, with thousands of tons of material hauled to the landfill in the past two weeks.

Gov. Doug Burgum said the corps' assessment is crucial to accelerating the cleanup before garbage, vehicles, structures and human waste wash into the Cannonball and Missouri rivers.

"We cannot afford to wait any longer," Burgum said.

The National Weather Service reports that people on the Cannonball, Knife and Heart rivers' watersheds should watch for rising water over the next several days.

Dave Glatt, state Department of Health environmental chief, said cleanup efforts will have to be doubled and any protesters at the camp who refuse to move are potentially worsening a bad situation for people who depend on the water.

"As long as we have frozen ground and melting snow, the water is going to continue to rise in the camps," Glatt said.

The weather service and the U.S. Geological Survey will install a new stream gauge on the Cannonball River near the camp Wednesday to closely monitor river heights in the area.

"That area, by nature, is prone to flooding. The Cannonball River and the Cantapeta Creek, along with the Missouri River, all come together in the area of the protest camp, which is sitting down in the floodplain," said state engineer Garland Eberle with the State Water Commission. "We've historically seen ice jamming which

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(Reach Lauren Donovan at 701-220-5511 or lauren@westriv.com.)

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UTAH:

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TUESDAY , FEBRUARY 14, 2017 - 6:58 PM

JESSICA KOKESH, Standard-Examiner Staff

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- BOB MOEN Associated Press
- Feb 14, 2017 Updated 12 hrs ago

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About 40 Wyoming National Guard members were being moved from Worland to Manderson, said Kelly Ruiz, spokeswoman with the Wyoming Homeland Security Office.

Two teams of firefighters who normally fight forest fires in the summer are in Greybull, Ruiz said.

“They are sandbagging and preparing for the rising water,” she said.

Residents in Big Horn County have been warned by local authorities to be prepared to leave their homes if the river tops its banks, Ruiz said.

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Two teams of firefighters who normally fight forest fires in the summer are in Greybull, Ruiz said.

“They are sandbagging and preparing for the rising water,” she said.

Residents in Big Horn County have been warned by local authorities to be prepared to leave their homes if the river tops its banks, Ruiz said.

FEMA-RELATED STORIES:

From: FEMA-MOC-DENVER
Sent: 7 Feb 2017 15:43:03 -0500
To: R8 FEMA SA Team;Root, Michael;Sterling, Stephen
Subject: USACE to Grant Easement for DAPL, 07 Feb 2017

All,

http://www.kfyrtv.com/content/news/Army-Corps-to-grant-easement-for-DAPL-under-Lake-Oahe-413068983.html

CANNON BALL, N.D. - The U.S. Army Corps of Engineers announced Tuesday they intend to grant an easement to Dakota Access to construct a pipeline under Corps-managed federal land at Lake Oahe.

The agency has also announced that it will not be preparing an Environmental Impact Statement.

Elizabeth Nakai
Operations Watch Officer
Denver MERS Operations Center &
FEMA Alternate Operations Center – West
800-311-7021

From: Greff, Stacie
Sent: 7 Feb 2017 15:58:52 -0500
To: R8 External Affairs
Subject: USACE to Grant Easement for DAPL, 07 Feb 2017

fysa

From: FEMA-MOC-DENVER
Sent: Tuesday, February 07, 2017 1:43 PM
To: R8 FEMA SA Team <R8FEMASATeam@fema.dhs.gov>; Root, Michael <Michael.Root@fema.dhs.gov>; Sterling, Stephen <Stephen.Sterling@fema.dhs.gov>
Subject: USACE to Grant Easement for DAPL, 07 Feb 2017

All,

http://www.kfyrtv.com/content/news/Army-Corps-to-grant-easement-for-DAPL-under-Lake-Oahe-413068983.html

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Elizabeth Nakai
Operations Watch Officer
Denver MERS Operations Center &
FEMA Alternate Operations Center – West
800-311-7021

From: DeFelice, Jerome
Sent: 25 Nov 2016 10:27:34 -0500
To: Greff, Stacie
Subject: Another Omdahl opinion piece

Lloyd Omdahl: Open letter to governor about pipeline crisis

By Lloyd Omdahl on Nov 23, 2016 at 6:00 a.m.

Dear Gov. Jack Dalrymple:

The cauldron on Highway 1806 has continued to boil over construction of the $3.8 billion pipeline near the Standing Rock Reservation. Sporadic outbursts of violence have tainted the demonstration, daily jeopardizing lives and property.

We are fortunate that no one has been killed.

In the waning hours of your administration, you have the opportunity to demonstrate impressive statesmanship by taking the initiative to resolve the conflict. Because this is a high-level crisis, negotiation cannot be delegated. It requires the personal attention of the governor.

- **Rancor builds on both sides as DAPL protest saga drags on**

It isn't enough for us to shirk our responsibilities by blaming the federal government for not pulling our chestnuts out of the fire. This is happening in North Dakota, and North Dakota has a responsibility for the outcome.

During my public career, I have attended gatherings of the nation's governors and noticed a distinct tendency for governors to rave over the loss of state's rights but seldom talk about state responsibilities. This is the time for a state to assert its responsibilities as well as its rights.

The authority to regulate public affairs for the health, welfare and safety of the people, commonly lumped under the term "police powers," are inherent in state government.

The federal government is restricted to the exercise of powers delegated by the Constitution, while states have a blank check to assert police powers. So we have no shortage of authority to act formally or informally.

At the outset, the Standing Rock Tribal Council needs to be reminded of the unpleasant facts of the situation.

Under our government of law, the pipeline is going to be finished with or without the Council's consent. The project is too far along to abandon.

It is unfortunate that consultations during the permitting process overlooked the issues that have now appeared on the table. Reality tells us, however, that the opportunity to revisit the process is past. We are now in a remedial stage.

Another fact is political. We just elected a president who is committed to energy development, meaning that pipe builders soon will find friendly faces in Washington. In the new administration, the agencies of the federal government will no longer be allowed to delay activities for the benefit of Standing Rock.

We now have a two-month opportunity to resolve this crisis before the new administration takes office and invokes the law, even using military force if necessary. This would be disastrous for everyone involved, but we seem to be headed in that direction.

When that happens, our fellow citizens on Standing Rock will once again be reminded of the broken treaties and oppression of decades past. We will be launching a new era of resentment and hate.

Another fact. It is very likely that Dakota Access will be interested in settling the issue immediately. According to company figures, the delay has already cost $450 million. That figure will only get larger if the demonstrations continue, so the company would be very interested in talking now rather than waiting for two months.

The time is short for all parties involved in the dispute. The situation will deteriorate with each passing day.

But nothing will happen until someone asserts leadership, and the only official with the necessary prestige is the governor.

Omdahl is a retired professor of political science at UND and former lieutenant governor of North Dakota.

Jerry DeFelice
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303-941-5088 cell
Jerome.DeFelice@fema.dhs.gov



From: Greff, Stacie
Sent: 17 Mar 2017 15:47:19 +0000
To: Tennyson, Stephanie
Subject: Clip: DAPL

FYSA.

US taxpayers might be on the hook for pipeline protest costs

- By BLAKE NICHOLSON Associated Press
- Mar 16, 2017 Updated 19 hrs ago
-

BISMARCK, N.D. (AP) — North Dakota officials appear poised to go after the U.S. government — and thus U.S. taxpayers — to recoup more than $38 million in state expenses related to months of protests against the Dakota Access pipeline, though a longstanding offer from the project's developer to pay up is still on the table.

One taxpayer watchdog group questions why the state isn't jumping at the offer from Dallas-based Energy Transfer Partners, a company worth billions of dollars.

"You take the money when you can get it," said Dustin Gawrylow, managing director of the North Dakota Watchdog Network, which keeps tabs on how public money is spent.

The matter might not be that simple. Common Cause, a nonpartisan group that promotes government accountability, says accepting money from a private-sector business in an industry it regulates would present the state with an ethical dilemma.

Pipeline opponents have long accused the state of being too cozy with ETP, and if the state takes the company's money "it certainly would lend credence to those arguments," said Joye Braun, a protest leader.

"For Energy Transfer to offer a donation, basically that's paying off the state for using state resources as personal security," she said.

Gawrylow said ETP's offer, while it would help the state, might be more marketing than generosity.

"They're not spending it out of the goodness of their heart. They're spending it to build goodwill in North Dakota" after months of upheaval, he said.

Work is wrapping up on the $3.8 billion pipeline to move North Dakota oil 1,200 miles to a shipping point in Illinois, and oil could be flowing as early as Monday despite an ongoing legal challenge by Sioux tribes who fear the project could affect their water supply — a claim ETP rejects.

The saga has endured for months, with hundreds and sometimes thousands of pipeline opponents camping on federal land near the drill site and often clashing with police. About 750 arrests were made between early August and late February, when camps on property managed by the Corps were shut down in advance of spring flooding season.

State officials have not been clear on why they haven't accepted ETP's offer, first made in the fall.

"The governor hasn't said whether the state will or won't seek reimbursement from ETP, only that all options are on the table," Mike Nowatzki, spokesman for Republican Gov. Doug Burgum, said.

State Budget Director Pam Sharp told The Associated Press that nothing in state law would prevent North Dakota from accepting such a donation, and that it's happened before, though not in such a sizable amount. For example, smaller private donations have been made to the state-operated North Dakota Veterans Home, she said.

Both Nowatzki and ETP spokeswoman Vicki Granado said they weren't aware of any discussions between state officials and ETP. But, Nowatzki said, "the governor's office has been in discussions with both the U.S. Army Corps of Engineers and White House officials to emphasize the state's position that federal reimbursement is warranted."

U.S. Sen. John Hoeven, a Republican from North Dakota, said his office also is working to get the Corps to reimburse protest-related state costs.

State Attorney General Wayne Stenehjem has publicly broached the idea of suing the federal government. He didn't respond to requests for comment.

The state Emergency Commission late last year approved borrowing $17 million to cover the costs, and the first bill Burgum signed as governor after taking office in January authorized an additional $8 million. But the cost has surpassed the approved total by $13 million, and officials plan to ask the Legislature for more money, state Emergency Services spokeswoman Cecily Fong said.

"I would be very surprised if the Legislature does not cover the full cost," said Republican state Rep. Jeff Delzer, chairman of the House Appropriations Committee.

Nowatzki said Burgum's chief concern "is ensuring that North Dakota taxpayers alone don't foot the bill."

Accepting money from ETP would be a risky way of doing that, according to Paul S. Ryan, vice president of litigation and public policy for Common Cause.

"One would reasonably question whether the state could in an unbiased way regulate ETP if it is receiving tens of millions of dollars in cold hard cash from ETP," he said.

___

From: DeFelice, Jerome
Sent: 15 Feb 2017 10:33:20 -0500
To: Greff, Stacie;Dombrowski, Justin;Floyd, Megan;Garcia, Carol;Stephenson, James R
Subject: Clip: DAPL

Article by Bismarck AP reporter. Appeared in this morning's Denver Post and other outlets across the region. He's been doing these sort of updates periodically.

A guide to recent events in the Dakota Access pipeline battle

North Dakota says law enforcement response to pipeline protests has cost taxpayers $33 million so far.



Tom Stromme, The Bismarck Tribune

This aerial photo shows a site where the final phase of the Dakota Access Pipeline will take place with boring equipment routing the pipeline underground and across Lake Oahe to connect with the existing pipeline in Emmons County, Feb. 13, 2017, in Cannon Ball, N.D.

By The Associated Press

PUBLISHED: February 14, 2017 at 6:02 pm | UPDATED: February 14, 2017 at 6:31 pm

By Blake Nicholson, *The Associated Press*

BISMARCK, N.D. — The disputed four-state Dakota Access pipeline could be moving oil in as little as a month, though opponents are promising to continue fighting the project. Here's a look at recent developments, and what's to come:

How far along is construction of the Dakota Access pipeline?

Texas-based developer Energy Transfer Partners on Feb. 8 received approval from the Army to lay pipe under a Missouri River reservoir in North Dakota — the last remaining section of the 1,200-mile pipeline that would move North Dakota oil to Illinois. Drilling work at Lake Oahe began immediately. The development was prompted by President Donald Trump, who pushed the Army to advance construction.

ETP spokeswoman Vicki Granado initially said the pipeline would be operational within three months. However, company lawyer David Debold on Monday suggested it could be ready for oil in as little as 30 days. Granado credited the efficiency of the company's equipment and crews, but didn't elaborate.

What's the latest ruling in the court cases involving the Standing Rock and Cheyenne River Sioux?

The Standing Rock and Cheyenne River Sioux say the $3.8 billion pipeline threatens their drinking water, cultural sites and ability to practice their religion, which depends on pure water. They asked U.S. District Judge James Boasberg to temporarily halt construction at Lake Oahe until their legal challenges are resolved.

Boasberg on Monday refused, though he scheduled a Feb. 27 hearing on a request by Cheyenne River to force the Army to withdraw its permission for the lake crossing.

Tom Stromme, The Bismarck Tribune via AP, file

A section of the Dakota Access Pipeline under construction near the town of St. Anthony in Morton County, N.D., on June 29, 2016.

A Standing Rock attorney plans to ask Boasberg to rule on the tribe's claims before pipeline operations begin.

The Oglala and Yankton Sioux tribes in South Dakota have filed similar legal challenges, the Yankton tribe in September and the Oglala Sioux on Saturday.

In a separate lawsuit, pipeline opponents suing police for allegedly using excessive force are appealing a federal judge's recent ruling allowing authorities to continue using tactics such as tear gas and rubber bullets for crowd dispersal.

Are there still people protesting construction of the pipeline?

Law enforcement records show that such tactics haven't been used since Jan. 19, at a blockaded highway bridge in the area of a protest encampment on federal land in southern North Dakota. The camp has at times housed thousands of protesters who have often clashed with police. It's now home to only a few hundred people and is being cleaned up in advance of spring flooding and a Feb. 22 closing date set by the Army Corps of Engineers.

Many protesters don't plan to leave the area. Cheyenne River chairman Harold Frazier says that tribe is leasing about 25 acres on the Standing Rock Reservation for camps. American Indian activist Chase Iron Eyes also is encouraging a continued presence in the area.

Is the bridge that was damaged by fire open to traffic?

The bridge on U.S. 1806 has been closed since it was damaged by fires Oct. 28. Officials have been working in recent weeks to reopen it in the interest of easing tensions.

Guardrail repairs were completed Friday and temporary asphalt patching was finished Monday, at a total cost of about $10,000, according to Department of Transportation spokeswoman Jamie

Olson. However, it won't be reopened until authorities determine tensions have eased enough to warrant it, said Morton County sheriff's spokesman Rob Keller.

The Transportation Department on Monday did reopen 8 miles of an 18-mile closed stretch of the highway, "allowing farmers, ranchers, people who have business down there to have more freedom of travel," Keller said.

What's the price tag for law enforcement related to the Dakota Access pipeline protest?

Law enforcement continues to maintain a heavy presence in the area despite the fading of protests.

New figures from the state show the law enforcement response over the past half-year has involved officers from 10 states, resulted in 705 arrests and cost taxpayers $33 million — $25 million for officer pay, $3.6 million for travel and lodging, and $4.3 million for equipment and supplies.

The data show that 92 percent of the 660 people who have been arrested are not from North Dakota.

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From: DeFelice, Jerome
Sent: 17 Mar 2017 10:59:47 -0400
To: Greff, Stacie;Dombrowski, Justin;Floyd, Megan;Garcia, Carol
Subject: Clip: DAPL

I'll include in the clips but wanted to make sure you saw this…

US taxpayers might be on the hook for pipeline protest costs

- By BLAKE NICHOLSON Associated Press
- Mar 16, 2017 Updated 19 hrs ago
-

BISMARCK, N.D. (AP) — North Dakota officials appear poised to go after the U.S. government — and thus U.S. taxpayers — to recoup more than $38 million in state expenses related to months of protests against the Dakota Access pipeline, though a longstanding offer from the project's developer to pay up is still on the table.

One taxpayer watchdog group questions why the state isn't jumping at the offer from Dallas-based Energy Transfer Partners, a company worth billions of dollars.

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The matter might not be that simple. Common Cause, a nonpartisan group that promotes government accountability, says accepting money from a private-sector business in an industry it regulates would present the state with an ethical dilemma.

Pipeline opponents have long accused the state of being too cozy with ETP, and if the state takes the company's money "it certainly would lend credence to those arguments," said Joye Braun, a protest leader.

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___

From: Greff, Stacie
Sent: 17 Mar 2017 11:46:27 -0400
To: Dragani, Nancy
Cc: R8 Division Directors;Dombrowski, Justin
Subject: Clip: DAPL

In clips, but ensuring visibility.

From: DeFelice, Jerome
Sent: Friday, March 17, 2017 9:00 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>; Floyd, Megan <Megan.Floyd@fema.dhs.gov>; Garcia, Carol <carol.garcia@fema.dhs.gov>
Subject: Clip: DAPL

I'll include in the clips but wanted to make sure you saw this…

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- By BLAKE NICHOLSON Associated Press
- Mar 16, 2017 Updated 19 hrs ago
-

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___

From: DeFelice, Jerome
Sent: 31 Jan 2017 10:36:49 -0500
To: Greff, Stacie;Dombrowski, Justin
Subject: Clip: ND and DAPL

Feds should pick up ticket for DAPL protest protection

Editorials

Jan 29, 2017

dropped out of national media quite a bit, the Dakota Access pipeline protest is continuing and will perhaps find itself renewed in one form or another in light of President Donald Trump's green lighting efforts. In fact, one can almost count on reinvigorated resistance of some kind given the president's fingerprints on the issue.

Continued and potentially expanded protest will require additional resources to provide for the safety of the protesters.

The federal government started this problem and it should pay for cleaning up its mess.

The previous administration opted to play politics with Dakota Access, intervening in a lawful, proper process to appease its radical anti-capitalist base and to continue to prosecute its identity politics agenda. It was pure, if utterly cynical politics, equivocation that inspired protesters and eventually rioters and acts of violence and terror.

As a result, the state and regional government entities are stuck carrying the bag. It's the political equivalent of an unfunded mandate.

While the current administration did not initiate this problem and seems inclined to want to defuse the whole situation by turning it back to the reasoned, regulatory system, the expense issue remains.

This is a federal government-instigated problem and the federal government should pony up and pay for the results.

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From: DeFelice, Jerome
Sent: 2 Mar 2017 10:08:50 -0500
To: Greff, Stacie;Dombrowski, Justin
Cc: Floyd, Megan;Stephenson, James R;Garcia, Carol
Subject: Clip: ND DAPL

Thought this was interesting. Not going to include in the clips.

AP Exclusive: Taxes could flow with Dakota Access pipeline

- By JAMES MacPHERSON Associated Press
- Mar 1, 2017 Updated 14 hrs ago

BISMARCK, N.D. (AP) — North Dakota stands to gain more than $110 million annually in tax revenue after oil begins coursing through the Dakota Access pipeline, an analysis by The Associated Press shows.

The calculation shows the potential payoff for a state whose officials have supported the pipeline despite concerns from Native American tribes and other opponents who fear it could harm drinking water and sacred sites. The money the state stands to make in just one year far outstrips the $33 million in costs to police a section of the pipeline that's been the subject of intense and sometimes violent protests over the last year.

"The amount of the windfall to the state doesn't surprise me at all," said Payu Harris, an American Indian activist and pipeline opponent. "That's why the state of North Dakota expended the resources they did."

Dallas-based Energy Transfer Partners' $3.8 billion pipeline will carry oil more than 1,000 miles to a shipping point in Illinois and may be moving oil as early as next week. Its completion would be welcome both for drillers seeking a cheaper path to market and for the state government in North Dakota, where declining tax revenue has clouded its budget.

"Every dollar they get extra is good for the state as well," state tax commissioner Ryan Rauschenberger said.

State budget analysts and an economic consulting firm working on the revenue forecast that lawmakers will use to create a spending plan for the next two years may take the potential tax benefits into account, State Budget Director Pam Sharp said. The new forecast will be released next week.

North Dakota in the past decade has become the second-biggest oil producer in the United States, behind Texas. But its location in the northern Plains, far from major oil markets, means less profit on each barrel of oil. North Dakota lowers its tax on each barrel to keep its crude competitive with other states.

Much of North Dakota's oil is shipped by truck or train. The 1,200-mile Dakota Access pipeline would carry the oil through South Dakota and Iowa to a shipping point in Illinois. It could shave shipping costs by more than $3 a barrel, according to Ron Ness, president of the North Dakota Petroleum Council. State tax officials estimate every dollar saved means about $33.6 million in added tax revenue each year.

"Every dollar back is a win for producers, the state and mineral owners," said Ness, who called the Dakota Access pipeline the most important infrastructure project in North Dakota since the interstate highway system.

It also will link to pipelines serving Gulf Coast refineries, which pay premium prices for high quality sweet crude like that drilled in North Dakota.

In addition to oil tax revenue, the pipeline is estimated to generate $55 million in property taxes annually in the four states it crosses, including more than $10 million a year in North Dakota, said Rauschenberger, the state tax commissioner.

That will provide much-needed revenue to rural counties, he said.

"It's going to benefit schools and counties and more valuation means lower property tax bills for everybody," Rauschenberger said.

The AP's analysis calculated the more than $10 million property tax gain combined with the additional $100 million in oil taxes from higher crude prices that drillers expect to achieve once the pipeline is in place.

The pipeline was first announced in 2014, days after then-Gov. Jack Dalrymple, a Republican, urged that more oil and gas pipelines be built to reduce hazardous truck and oil train traffic and to curb the flaring — or burning off — of natural gas at wellheads.

Dakota Access sailed through the state's approval process, only to run into resistance from the Standing Rock Sioux, whose reservation straddling the North Dakota-South Dakota border is near the pipeline's route. The Standing Rock Sioux and other tribes urged the U.S. government not to allow the project to move forward and fought the pipeline in court and with protests at a nearby encampment on federal land that at times grew to include thousands of people.

The opponents were dealt a devastating setback in January when President Donald Trump signed an executive order to advance the pipeline's construction. The Army subsequently gave approval for ETP to put the last final big chunk of pipe under a Missouri River reservoir near the Standing Rock Sioux Reservation. The Army has authority over that stretch because its Corps of Engineers manages the Missouri River.

Authorities last week cleared the last vestiges of the protest camp ahead of spring flooding, although the Standing Rock and Cheyenne River Sioux continue to fight the project in court.

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From: DeFelice, Jerome
Sent: 18 Jan 2017 17:17:48 -0500
To: Greff, Stacie;Dombrowski, Justin
Subject: Clip: ND tribal

Interesting…

North Dakota National Guard reportedly deploys anti-drone system at oil pipeline protest site

Published January 18, 2017
· FoxNews.com

The North Dakota Army National Guard reportedly deployed an “anti-drone missile system” at the site of the Dakota Access oil pipeline on Tuesday.

North Dakota Guard spokesman William Prokopyk confirmed to The Daily Beast the presence of the Avenger missile system. He added that the system was put in place “strictly in the observation role.”

The Morton County Sheriff’s Department echoed Prokpyk’s statements, adding that the systems “are used strictly for observation of ungoverned encampments to help protect private property and maintain public safety,” according to The Daily Beast.

Jon Ziegler, who describes himself as a “citizen journalist,” spotted the surface-to-air missile launchers at the site. He wrote in a Facebook post that they were “guarding the DAPL drill pad.”
The Avenger Air Defense System is described as a surface-to-air missile system that can defend against cruise missiles, UAVs, fixed-wing aircraft and helicopters. The news website reported that the North Dakota Army National Guard’s air defense has the ability to operate the Avenger system.

The presence of the system could exacerbate things between the Standing Rock protesters and authorities. Police have already shot down a drone for “operating in a threatening manner” and used water cannons on protesters in frigid temperatures.

Additionally, the Texas-based Energy Transfer Partners asked a judge Tuesday to stop the U.S. Army Corps of Engineers from launching a full environmental study of the $3.8 billion pipeline’s disputed crossing of a Missouri River reservoir in North Dakota.

ETP wants any further study put on hold until Judge James Boasberg, in Washington, D.C., rules on whether ETP already has the necessary permission to lay pipe under Lake Oahe — the reservoir that's the water source for the Standing Rock Sioux tribe.

The stretch under Lake Oahe is the last big chunk of construction for the 1,200-mile pipeline. The Corps wants to look at alternate routes, the potential for a pipeline leak and tribal treaty rights in the wake of opposition by the Standing Rock Sioux and its supporters who believe a pipeline leak would contaminate the tribe's drinking water.

An environmental assessment conducted by the Corps last year determined that the Oahe crossing would not have a significant impact on the environment. However, Assistant Army Secretary for Civil Works Jo-Ellen Darcy said in December that a broader environmental impact statement was warranted. Such a statement can take up to two years to complete, according to the U.S. Department of Energy.

The Standing Rock Sioux tribe has been urging people to lobby the Corps to start the environmental impact study before President-Elect Donald Trump, an energy supporter, takes office Friday. The tribe in a statement Tuesday said it's confident that a full environmental study would be "the best way to analyze the alternative routes."

The Associated Press contributed to this report.

From: DeFelice, Jerome
Sent: 6 Feb 2017 10:08:13 -0500
To: R8 External Affairs
Subject: Clip: ND tribal

I'll include this in the clips…

Standing Rock Sioux want 'no forcible removal' of protesters from Dakota Access pipeline site

By Juliet Eilperin, *The Washington Post*

Standing Rock Sioux Tribe officials said this weekend that while they were working with federal authorities to stabilize the situation at the Dakota Access Pipeline protest site, they were not calling on law enforcement to forcibly remove activists there.

After months of protests, both tribal officials and residents in the town of Cannon Ball, North Dakota, have asked those opposed to completion of the controversial, 1,170-mile pipeline to leave. A few hundred activists remain, both on the Standing Rock Sioux's reservation and on neighboring land.

Tribal officials and their allies, including environmentalists and many military veterans, argue that the project could cause environmental damage and disturb ancient burial sites. Proponents, including President Donald Trump and many business and labor leaders, say it will spur economic growth in the United States and provide a means of safely transporting heavy crude from western North Dakota to the pipeline networks and refineries in Illinois.

On Friday evening, the acting assistant secretary for Indian affairs, Michael S. Black, said that the agency had sent "enforcement support and would assist" the tribe "in closing the protest camps within the Standing Rock Reservation boundary."

But tribal officials responded over the weekend that while they wanted people to leave the reservation, they did not want them arrested or ousted by force. On Wednesday, law enforcement authorities arrested 74 protesters who had decamped to land owned by the pipeline's developer, Energy Transfer Partners.

Related Articles

- February 1, 2017 Review of pipeline could be beginning of end for opponents
- January 25, 2017 Protesters hoist "RESIST" banner from crane near White House

"We want to stress that we are cleaning the camps, not clearing them," the tribe posted on Facebook on Saturday. "We do not support or endorse any 'raids.' We have not asked for law enforcement to assist in clearing camps and in fact have repeatedly told them there will be no forcible removal."

Tribal officials have been trying to persuade protesters to leave on their own, although it is unclear whether they will do so. The extended period of encampment has caused soil erosion that could cause significant flooding, depending on future weather conditions.

Trump has instructed Army Corps of Engineers officials – who withheld the final permit needed to complete the pipeline project in December, citing the need for a more extensive environmental review — to expedite its review of Energy Transfer Partners' application. Officials confirmed last week they were accelerating their review but had not reached a final decision yet.

In the Facebook post, the tribe officials emphasized that they would continue to fight any federal permit for the pipeline in court but that opponents had to be sensitive to those living around the reservation.

"One of the key tenets of any movement is being considerate about how we treat the community in which we bring our voices and respect the places where we are visitors," it said. "The community of Cannonball has every right to choose how it wants people to help them. We are still focused on defeating DAPL on all fronts."

Jerry DeFelice
External Affairs
FEMA Region VIII, Denver
303-235-4948
303-941-5088 cell
Jerome.DeFelice@fema.dhs.gov



THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release January 24, 2017

January 24, 2017

MEMORANDUM FOR THE SECRETARY OF THE ARMY

SUBJECT: Construction of the Dakota Access Pipeline

Section 1. Policy. The Dakota Access Pipeline (DAPL) under development by Dakota Access, LLC, represents a substantial, multi-billion-dollar private investment in our Nation's energy infrastructure. This approximately 1,100-mile pipeline is designed to carry approximately 500,000 barrels per day of crude oil from the Bakken and Three Forks oil production areas in North Dakota to oil markets in the United States. At this time, the DAPL is more than 90 percent complete across its entire route. Only a limited portion remains to be constructed.

I believe that construction and operation of lawfully permitted pipeline infrastructure serve the national interest.

Accordingly, pursuant to the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct as follows:

Sec. 2. Directives. (a) Pipeline Approval Review. The Secretary of the Army shall instruct the Assistant Secretary of the Army for Civil Works and the U.S. Army Corps of Engineers (USACE), including the Commanding General and Chief of Engineers, to take all actions necessary and appropriate to:

(i) review and approve in an expedited manner, to the extent permitted by law and as warranted, and with such conditions as are necessary or appropriate, requests for approvals to construct and operate the DAPL, including easements or rights-of-way to cross Federal areas under section 28 of the Mineral Leasing Act, as amended, 30 U.S.C. 185; permits or approvals under section 404 of the Clean Water Act, 33 U.S.C. 1344; permits or approvals under section 14 of the Rivers and Harbors Act, 33 U.S.C. 408; and such other Federal approvals as may be necessary;

(ii) consider, to the extent permitted by law and as warranted, whether to rescind or modify the memorandum by the Assistant Secretary of the Army for Civil Works dated December 4, 2016 (Proposed Dakota Access Pipeline Crossing at Lake Oahe, North Dakota), and whether to withdraw the Notice of Intent to Prepare an Environmental Impact Statement in Connection with Dakota Access, LLC's Request for an Easement to Cross Lake Oahe, North Dakota, dated January 18, 2017, and published at 82 *Fed. Reg.* 5543;

(iii) consider, to the extent permitted by law and as warranted, prior reviews and determinations, including the Environmental Assessment issued in July of 2016

for the DAPL, as satisfying all applicable requirements of the National Environmental Policy Act, as amended, 42 U.S.C. 4321 *et seq.*, and any other provision of law that requires executive agency consultation or review (including the consultation or review required under section 7(a) of the Endangered Species Act of 1973, 16 U.S.C. 1536(a));

(iv) review and grant, to the extent permitted by law and as warranted, requests for waivers of notice periods arising from or related to USACE real estate policies and regulations; and

(v) issue, to the extent permitted by law and as warranted, any approved easements or rights-of-way immediately after notice is provided to the Congress pursuant to section 28(w) of the Mineral Leasing Act, as amended, 30 U.S.C. 185(w).

(b) Publication. The Secretary of the Army shall promptly provide a copy of this memorandum to the Speaker of the House of Representatives, the President pro tempore of the Senate, the Majority Leader of the Senate, and the Governors of each State located along the Dakota Access Pipeline route. The Secretary of the Army is authorized and directed to publish this memorandum in the *Federal Register*.

(c) Private Property. Nothing in this memorandum alters any Federal, State, or local process or condition in effect on the date of this memorandum that is necessary to secure access from an owner of private property to construct the pipeline and facilities described herein. Land or an interest in land for the pipeline and facilities described herein may only be acquired consistently with the Constitution and applicable State laws.

Sec. 3. General Provisions. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

# # #

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release January 24, 2017

January 24, 2017

MEMORANDUM FOR THE SECRETARY OF STATE
THE SECRETARY OF THE ARMY
THE SECRETARY OF THE INTERIOR

SUBJECT: Construction of the Keystone XL Pipeline

Section 1. Policy. In accordance with Executive Order 11423 of August 16, 1968, as amended, and Executive Order 13337 of April 30, 2004, the Secretary of State has delegated authority to receive applications for Presidential permits for the construction, connection, operation, or maintenance, at the borders of the United States, of facilities for the exportation or importation of petroleum, petroleum products, coal, or other fuels to or from a foreign country, and to issue or deny such Presidential permits. As set forth in those Executive Orders, the Secretary of State should issue a Presidential permit for any cross-border pipeline project that "would serve the national interest."

Accordingly, pursuant to the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct as follows:

Sec. 2. Invitation to Submit an Application. I hereby invite TransCanada Keystone Pipeline, L.P. (TransCanada), to promptly re-submit its application to the Department of State for a Presidential permit for the construction and operation of the Keystone XL Pipeline, a major pipeline for the importation of petroleum from Canada to the United States.

Sec. 3. Directives. (a) Department of State. The Secretary of State shall, if the application referred to in section 2 is submitted, receive the application and take all actions necessary and appropriate to facilitate its expeditious review. With respect to that review, I hereby direct as follows:

(i) The Secretary of State shall reach a final permitting determination, including a final decision as to any conditions on issuance of the permit that are necessary or appropriate to serve the national interest, within 60 days of TransCanada's submission of the permit application.

(ii) To the maximum extent permitted by law, the Final Supplemental Environmental Impact Statement issued by the Department of State in January 2014

regarding the Keystone XL Pipeline (Final Supplemental EIS) and the environmental analysis, consultation, and review described in that document (including appendices) shall be considered by the Secretary of State to satisfy the following with respect to the Keystone XL Pipeline as described in TransCanada's permit application to the Department of State of May 4, 2012:

(A) all applicable requirements of the National Environmental Policy Act of 1969, 42 U.S.C. 4321 *et seq.*; and

(B) any other provision of law that requires executive department consultation or review (including the consultation or review required under section 7(a) of the Endangered Species Act of 1973, 16 U.S.C. 1536(a)).

(iii) To the maximum extent permitted by law, any Federal permit or authorization issued before the date of this memorandum for the Keystone XL Pipeline shall remain in effect until the completion of the project.

(iv) The agency notification and fifteen-day delay requirements of sections 1(g), 1(h), and 1(i) of Executive Order 13337 are hereby waived on the basis that, under the circumstances, observance of these requirements would be unnecessary, unwarranted, and a waste of resources.

(b) Department of the Army. The Secretary of the Army shall, if the application referred to in section 2 is submitted and a Presidential permit issued, instruct the Assistant Secretary of the Army for Civil Works and the U.S. Army Corps of Engineers, including the Commanding General and Chief of Engineers, to take all actions necessary and appropriate to review and approve as warranted, in an expedited manner, requests for authorization to utilize Nationwide Permit 12 under section 404(e) of the Clean Water Act, 33 U.S.C. 1344(e), with respect to crossings of the "waters of the United States" by the Keystone XL Pipeline, to the maximum extent permitted by law.

(c) Department of the Interior. The Secretary of the Interior, as well as the Directors of the Bureau of Land Management and the United States Fish and Wildlife Service, shall, if the application referred to in section 2 is submitted and a Presidential permit issued, take all steps necessary and appropriate to review and approve as warranted, in an expedited manner, requests for approvals related to the Keystone XL Pipeline, to the maximum extent permitted by law, including: (i) requests for grants of right-of-way and temporary use permits from the Bureau of Land Management; (ii) requests under the United States Fish and Wildlife Service's regulations implementing the Migratory Bird Treaty Act, 16 U.S.C. 703 *et seq.*; and (iii) requests for approvals or other relief related to other applicable laws and regulations.

(d) Publication. The Secretary of State shall promptly provide a copy of this memorandum to the Speaker of the House of Representatives, the President pro tempore of the Senate, the Majority Leader of the Senate, and the Governors of each State located along the Keystone XL Pipeline route as described in

TransCanada's application of May 4, 2012. The Secretary of State is authorized and directed to publish this memorandum in the *Federal Register*.

(e) Private Property. Nothing in this memorandum alters any Federal, State, or local process or condition in effect on the date of this memorandum that is necessary to secure access from an owner of private property to construct the pipeline and cross-border facilities described herein. Land or an interest in land for the pipeline and cross-border facilities described herein may only be acquired consistently with the Constitution and applicable State laws.

Sec. 4. General Provisions. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

# # #

From: Garcia, Carol
Sent: 22 Feb 2017 18:25:46 -0500
To: Floyd, Megan;Greff, Stacie
Subject: DAPL

Fox News - reporting 9 arrested. 50-75 people still at the camp.

Carol A. García
Tribal Affairs – Region VIII
FEMA
Denver Federal Center, Bldg 710
Denver, CO 80225
(303) 202-8959
(720) 415-4816 Cell

From: Hudson, Lamont
Sent: 23 Feb 2017 12:48:23 -0500
To: Depalo, Lee
Cc: Floyd, Megan;Greff, Stacie
Subject: DAPL Protestors

Lee,

Reading online sources, approximately 10 arrests were made while disbanding the Standing Rock Protest Camp (Oceti Sakowin). About 40 protestors remain at the camp this morning. There are 2 bulldozers onsite, ready to begin clean-up of former camp.

The situation is peaceful at this time.

http://bismarcktribune.com/news/columnists/law-enforcement-enters-protest-camp/article_e0c65aee-e5ef-5325-a94b-d6fda308d628.html

Respectfully,

Lamont Hudson

DHS/FEMA Region VIII - Logistics
Ordering Unit Lead
Denver Federal Center, Bldg. #20
Office: 303-235-4851
Cell: 303-842-4682
Fax: 303-233-2504

"Teamwork makes the DREAM work."

From: Dragani, Nancy
Sent: 30 Mar 2017 17:05:25 +0000
To: R8 Division Directors
Subject: FW: Documentary film: DAPL

This is the video Greg mentioned on the state director's call today.

From: Wilz, Greg M. [mailto:(b)(6)@nd.gov]
Sent: Thursday, March 30, 2017 10:01 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Titze, Tina (b)(6)@state.sd.us>; Cameron, Guy (b)(6)@wyo.gov>; (b)(6)@utah.gov) (b)(6)@utah.gov> (b)(6) CDPS,(b)(6)@state.co.us>;(b)(6)@mt.gov) <(b)(6)@mt.gov>
Subject: FW: Documentary film: DAPL

I will refer to this on the call today. It is well done.

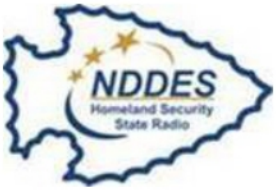
Greg

From: (b)(6)
Sent: Wednesday, March 29, 2017 3:49 PM
To: Wilz, Greg M.(b)(6)@nd.gov>
Subject: Documentary film: DAPL

Documentary regarding protests:
https://www.facebook.com/NetizensForProgress/videos/1868254373443542/

(b)(6)
Public Information Officer
ND Department of Emergency Services
Office: (b)(6)
(b)(6)@nd.gov

Follow us on Facebook - www.facebook.com/NDDES
Follow us on Twitter - www.twitter.com/NDDES



From: Welch, Randy
Sent: 18 Nov 2016 13:11:51 -0500
To: R8 All Hands
Cc: (b)(6) (b)(6) @state.co.us;christopher.(b)(6) @mail.mil (b)(6) @mail.mil;(b)(6) @nd.gov;(b)(6) @state.sd.us;(b)(6) @state.sd.us (b)(6) @utah.gov;(b)(6) @wyo.gov;(b)(6) @acf.hhs.gov;(b)(6) @usace.army.mil;(b)(6) @usace.army.mil;(b)(6) @state.mn.us;Peterson, Mark J;Ronald(b)(6) @hhs.gov (b)(6) @hhs.gov;(b)(6) @hhs.gov;(b)(6) @sba.gov;(b)(6) @sba.gov;Nelson, Jason;Blaylock, Andrew;(b)(6) @fs.fed.us;Alexander, Daniel
Subject: FEMA Region 8 clips for Friday 11-18-16

Region VIII Clips
Friday, November 18, 2016

ANALYSIS

- *Colorado:* Yesterday's storm led to a 20-car pileup that closed I-70 for hours… Lyons residents donated money, materials and labor to build one family a new home to replace one damaged by the 2013 flood. The new home is raised to prevent future flood damage.

- *Montana:* No FEMA-related stories
- *North Dakota:* An annual address by an Indian tribal leader to the state legislature has been cancelled because of concerns stemming from the pipeline protest…. The number of volunteer firefighters is declining. A FEMA grant of $2.1 million will pay for ads targeting and recruiting and retaining volunteers in North Dakota, plus firefighter education, over four years…. Fargo received relatively light snow from the storm.
- *South Dakota:* No travel is advised in much of SE South Dakota because of the storm.
- *Utah:* Santa Clara has extended offers to buy out three homes threatened by a landslide, using a grant from FEMA and the Utah Department of Public Safety. The story says the city has a 30 percent match.
- *Wyoming:* Yesterday's storm closed I-80 and Highway 30 for a while; a foot of snow dropped in Lander and parts of Yellowstone National Park… Wyoming Public Radio carried an interview on the disproportionate affects disasters have on the poor, which are not captured in lists of assets losses – such as children dropping out of school or their development being harmed by lack of food.
- *Other FEMA-related stories:* The ABC News report on yesterday's storm is included below.

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COLORADO

Storm Leads To Plenty Of White-Knuckle Moments For High Country Drivers (CBS4 TV, Denver)

Community Builds New Home For Family After 2013 Floods (CBS4 TV, Denver)

MONTANA

No FEMA-related stories

NORTH DAKOTA

ND cancels tribal address, chairman calls decision a 'dishonor' (Fargo Inforum)

ND firefighters answer the call as volunteers vanish across the state (WDAY TV, Grand Forks)

Though snow light in Fargo, Lake Park already has half foot (Fargo Inforum)

SOUTH DAKOTA

Snow updates: No travel advised on most area roads (Sioux Falls Argus Leader)

UTAH

Santa Clara Sends Out Offers To Landslide-ravaged Homes (St. George Spectrum)

WYOMING

Snowstorm hits Wyoming, closes roads in the southeast corner (Casper Star-Tribune)

Report: Disasters Are Even More Disastrous Than We Think (Wyoming Public Radio)

FEMA-RELATED STORIES
You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

ABC: Severe Weather

STORIES

COLORADO:

Storm Leads To Plenty Of White-Knuckle Moments For High Country Drivers (CBS4 TV, Denver)

November 18, 2016 8:05 AM

EVERGREEN, Colo. (CBS4) – Driving conditions in Colorado's mountains were treacherous during the latter half of the day on Thursday, and two people wound up getting hurt in a pileup involving 20 of cars.

Teams of snowplows were working late into the night to try to keep the roads clear and ice-free as temperatures dipped into the single digits.

Thursday's heavy snow in Colorado's higher elevations took even the most experienced high country drivers by surprise.

Brenda Carmona flew in to the state on Thursday from Los Angeles and was somehow making it smoothly through the Interstate 70 corridor in a small rental car.

"For some reason we're the only car that's still moving," she told CBS4. "Most cars are just stuck, their wheels are turning."

When traffic did move, it often led to accidents. The pileup took place near Floyd Hill and the Evergreen exit, and it led to a shutdown of the interstate that lasted for hours. The two people who were hurt haven't been identified.

Drivers trying to use alternate routes often experienced big delays, and there were many white-knuckle moments from behind the wheel.

"It's not easy no matter what you're driving, really," one driver told CBS4. "You've got to watch out for the other people that are out there and make sure that everything's under control."

Community Builds New Home For Family After 2013 Floods (CBS4 TV, Denver)

November 17, 2016 7:31 PM

By CBS4 Reporter Dillon Thomas

LYONS, Colo. (CBS4)– The Town of Lyons was one of the most heavily damaged communities in the September 2013 floods that struck Colorado. Severe flooding caused many homes to wash away, forcing families to move out of town.

At the center of the destruction was the Wechsler family home. The home was built on a property the family owned for more than 100 years.



(credit: Wechsler Family)

After the flood claimed their home, Dave and Cat Wechsler were forced to pack up and take their two sons to live in a mobile home.

"We've had to be in a camper at our business for the last three Christmas'," Cat Wechsler said. "It has been kind of a bummer."

Thanks to the generosity of their community, many came together to invest more than $300,000 worth of time, materials, and equipment into building the Wechsler's a new home.

The family was given keys to their reconstructed home on Thursday.

"I prayed that we would be here for the first snow, and it is starting to snow right now," Cat Wechsler said.

One of the main drivers behind the project was Adam Mack.

“It was a little emotional to see [the family move in,]” Mack said. “To understand the fear and terror they went through and knowing what they went through the past three years, it was important to get them back in for the holidays.”

Crews added 1,800 square feet to the structure and lifted the foundation to avoid future flooding damage.

“If that happened again, the house would be safe,” Mack said.

“The chances of another event like that happening again are slim. We are two feet higher now,” Dave Wechsler said.

The family said they were overjoyed to hear the community had selected them for the project, and were even more pleased to know they would be able to return to where their family had called home for so long, once again.

“It’s just nice to be back where I was before,” said Avery Wechsler, Dave and Cat’s son.



(credit: CBS)

“It is home. It is beautiful,” Dave Wechsler said.

“He has deep roots here, we never considered leaving,” Cat Wechsler said.

Milender White also presented the family with a $5,000 check upon entering the home, in hopes of providing new furnishing for the family.

MONTANA:

No FEMA-related stories

NORTH DAKOTA:

ND cancels tribal address, chairman calls decision a 'dishonor' (Fargo Inforum)

By Amy Dalrymple on Nov 17, 2016 at 9:24 p.m.

BISMARCK -- North Dakota legislators have canceled a traditional state of the tribes address in January due to security concerns over recent protests, but tribes will still have a chance to meet with legislative leaders at the start of the session.

Members of Legislative Management voted 10-3 Thursday, Nov. 17, to cancel the State/Tribal Relationship and the State of the Judiciary Address, citing concerns about security and the recent strain on law enforcement resources while responding to Dakota Access Pipeline protests.

Chairman Richard McCloud of the Turtle Mountain Band of Chippewa called it a "dishonor" when he heard legislators canceled the address, a tradition that leaders of North Dakota's five tribal nations have rotated in each of the past 16 legislative sessions.

"I've heard rumors that it's going to be a difficult session this year specifically for Indian Country because of what's going on in Standing Rock, that all the tribes would be paying the price," said McCloud, who delivered the address in 2013. "I feel that this is one way of starting that."

North Dakota Indian Affairs Commissioner Scott Davis said he worked quickly Thursday to find another solution after learning the event was canceled. Late Thursday, Davis told Forum News Service he had secured commitments from House and Senate leaders to meet with each of the tribes during the first week in January in place of the address in front of the legislative assembly.

"I'm glad they accepted," Davis said. "I think it's a better plan. It's more in-depth. You get more business done that way."

House Majority Leader Al Carlson, R-Fargo, who made the motion to cancel the addresses, said the state Capitol has been on lockdown numerous times recently due to protest activities. After meeting with the Highway Patrol to discuss security concerns, the legislative committee decided to cancel the speeches, which are not required in statute, out of safety concerns for Capitol workers.

"Our law enforcement because of the DAPL thing is stressed to the absolute limit," Carlson said.

Rep. Marvin Nelson, Rolla, who was among the three Democrats who opposed Carlson's motion, said canceling the address is the opposite of what the state should do to de-escalate tensions resulting from the ongoing pipeline protests.

“It’s a really bad time to have less interactions with our tribes,” Nelson said. “We need more interaction and more talk.”

Myra Pearson, chairwoman of the Spirit Lake Nation, was lined up to give the next address to legislators, planning to focus some of her time on the state of emergency the tribe has declared related to drugs on the reservation.

“We don’t have any relationship any longer with that state Capitol building,” she said.

Pearson said she tried to meet with someone at the Capitol in early September on the same day that a protest was underway outside the building. She and her grandson who was with her were met by a line of law enforcement inside the building.

“I was asked to leave. I was removed from there. I’ve never been back there,” Pearson said. “I don’t even go to Bismarck for meetings anymore.”

Pearson said she looks forward to meeting Gov.-elect Doug Burgum and is hopeful relations with the state will improve.

McCloud said most of the protesters who have been arrested since anti-pipeline demonstrations escalated in mid-August near the Standing Rock Sioux Reservation are from other states.

“Unfortunately, it seems like North Dakota tribes are going to have to suffer the cost,” he said.

Sen. Richard Marcellais, D-Belcourt, called the decision to cancel the address “a disgrace” and said he plans to investigate whether it was proper for Legislative Management to cancel the event without input from the entire Legislature. Legislative Management is a panel of 17 lawmakers that carries out certain Legislature functions between its biennial sessions.

“A lot of the incidents and trouble that’s going on, it’s not North Dakota tribal members,” said Marcellais, who said to his knowledge he’s the only Native American state legislator. “It’s out-of-state members that are causing all these problems.”

Standing Rock Sioux Tribe Chairman Dave Archambault II, who delivered the address in 2015, was unavailable for an interview Thursday, but he offered this statement:

“We are always honored to share our reality and we are always willing to build relationships with policy makers. The State of Affairs address benefits all members of our state,” he said.

Mark Fox, chairman of the Three Affiliated Tribes, said he thinks canceling the address is going to have a negative impact on state-tribal relations.

“It sends a bad message to the five tribes in North Dakota and I’m greatly concerned about it,” Fox said.

Davis said he plans to contact each tribal chairperson to inform them of the upcoming meetings with legislative leaders. The individual meetings will allow each tribe more time to discuss issues important to their members, Davis said.

“I think this plan is going to definitely improve on communication and consultation,” Davis said.

The discussions would likely be closed to the public, he said.

The motion to cancel the addresses was supported by Republican Sens. Ray Holmberg of Grand Forks, Don Schaible of Mott, Jessica Unruh of Beulah and Rich Wardner of Dickinson, and GOP Reps. Carlson, Wes Belter of Fargo, Bill Devlin of Finley, Jason Dockter of Bismarck, Dan Ruby of Minot and Jim Schmidt of Mott.

The Democrats who opposed the motion were Sen. Connie Triplett of Grand Forks and Reps. Nelson and Kathy Hogan of Fargo.

ND firefighters answer the call as volunteers vanish across the state (WDAY TV, Grand Forks)

By Ryan Laughlin on Nov 17, 2016 at 10:13 p.m.
Mayville, ND (WDAY TV) - You hope they never have to help you but when they do you'll be glad they're there. We're talking about firefighters.
There's a good chance the firefighters in your area are volunteer. In fact, 96% of departments in North Dakota are made up of volunteers. Now there are fewer of them than ever before.
WDAZ'S Ryan Laughlin explains why the volunteers are vanishing and what can be done about it.
There's a small population of North Dakotans, whether they be bankers or mechanics, who never have their phones on silent.
Eric Nesheim goes by Ernie in town. He's one of the few Mayville volunteer firefighters that live and work in Mayville.
He had to drop everything and head to a basement fire on the west end of town.
"We'll see what's what when we get there." said Nesheim.
Fortunately for the man who had his furnace ablaze, help is just around the corner.
"No real damage. They can smell a little smoke in the house but that was it."
But that's not always the case.
Across the country, fire departments are seeing fewer volunteers. Something Mayville Fire Chief Lee Brenna has seen firsthand.
"When I first joined this department I was on a waiting list. And that's the way it was," said Brenna. "You were on a waiting list and to wait until someone retire, or moved away, or did something like that."
That was in 1988. Then, Mayville had 50 firefighters on the roster. Today.
"We have 28 on a roster."
Risky, when response time hangs in the balance.
"Critical. Key. Seconds really do count," said Nesheim.

"It really went fast," said Lavon Nelson, lost home to fire. "The fire got into the attic and it just totaled."
Lavon Nelson lost his home to a fire back in June.
He's staying in a hotel now and he knows how important having enough manpower to fight fires is.
"There's no way to overstate their importance."
In Mayville, of the 28 firefighters, around five work in town.
"Mayville Fire Department was assisted by the Portland Fire Department, by Hatton and by Hillsboro. They all came and brought 15,000 pounds of water and did what they could," said Nelson.
While mutual-aid helps, declining volunteers means assisting towns are temporarily leaving themselves vulnerable.
The decline is so serious FEMA has cut North Dakota a check for $2.1 million. Money that will benefit the state for the next four years. Officials say the money is going to used for an ad campaign aimed at recruitment and retention of firefighters and enhancing firefighter education.
As for the team in Mayville, Chief Brenna is just hoping numbers start to rebound.
"There's always that fear, you get here first, you get the truck running and you're hoping there will be enough guys to come," said Brenna.
They're proud of protection they provide their community and are hoping they'll have the man power to continue doing so.
"Well I hope people will take a look at this and realize how much we are needed. A lot of times it just gets taken for granted that when the pager or siren goes off that fire department will be here. Well there has to be people on the fire department in order to get to that call.
North Dakota ranks 47th in the country in being equipped to fight fires and by putting you at risk is hurting your pocketbook.
Home insurance costs increase when fire departments aren't well staffed and when response times take longer.

Though snow light in Fargo, Lake Park already has half foot (Fargo Inforum)

By Forum staff reports Today at 9:54 a.m.
FARGO—As of 9 a.m. Friday, Nov. 18, snow totals varied widely across the region as a strong storm system that moved into the area Thursday night was expected to linger for much of the day Friday.
The heaviest snows were reported in the Detroit Lakes area and north toward Bemidji in Minnesota, according to Brad Hopkins of the National Weather Service in Grand Forks.
Hopkins said snow totals in Minnesota included 6.3 inches at Lake Park and 4.5 inches at Rothsay.
New York Mills reported 2.4 inches and Battle Lake reported 2.5 inches, according to Hopkins.
The Fargo-Moorhead area received relatively light snow overnight but winds Friday morning were in the neighborhood of 35 mph and gusting to 40 mph, Hopkins said.
Snow and strong winds were expected to linger in the region throughout the day, he said, adding that the heaviest snowfall was likely to remain restricted to areas where heavy snow has already been falling.

SOUTH DAKOTA:

Snow updates: No travel advised on most area roads (Sioux Falls Argus Leader)

No travel is advised on many highways and interstates in southeastern South Dakota.
No travel is advised on all highways south of Interstate 90 in southeastern South Dakota, as well as I-29 from Dell Rapids to Iowa and I-90 from Alexandria to the Minnesota border.
The National Weather Service in Sioux Falls says 4.8 inches of snow has fallen in Sioux Falls as of 10 a.m., although snow is beginning to taper off.
"The roads are pretty slick out there so allow a little extra time to reach your destination," NWS meteorlogist Todd Heitkamp said.
Despite the snow amounts, Sioux Falls street manager Galen Huber said the city will not issue a snow alert. That's because the warmer ground has already started to melt a lot of snow, and warmer temps and sunnier weather Saturday will melt it further.
Gusting winds reaching 40 to 45 mph are expected throughout the day, causing difficult travel conditions.

UTAH:

Santa Clara Sends Out Offers To Landslide-ravaged Homes (St. George Spectrum)

By Kevin Jenkins
St. George (UT) Spectrum, November 17, 2016

Santa Clara officials have agreed on the prices they will offer for three homes the city hopes to buy as it battles a slow-moving landslide on the south side of the Santa Clara Heights.

The Santa Clara City Council met Wednesday night to review appraisal reports and establish the offering prices following an executive session to determine its strategy in publicizing the estimated value of the properties it hopes to demolish.

City Manager Ed Dickie said the appraisers established what the properties are worth "as is" today and what they hypothetically could be worth if they weren't so severely affected by the landslide. In the end, the city opted to make offers substantially higher than the $34,000 to $50,000 current appraisals because "there's no way they'd be able to purchase a home for $34,000 or $50,000."

After considering the higher appraisal amounts and the county's assessment of the properties' value, as well as lot sizes and upkeep, the council offered $194,000 to the Patricia Nunnelly home immediately south of Santa Clara Elementary School, $196,550 for the nearby Ray and Charlene Bilancia home that is also off of Crestview Drive, and $237,550 for the Larsen home on Cinnamon Circle, next to another home the city has already been obtained.

"It all falls within the (Federal Emergency Management Agency) grant," Dickie said. "Of course, we have a … match."

The city will have to provide a 30 percent match to the $1.17 million granted July 26 by Utah's Department of Public Safety and Federal Emergency Management Agency to buy the three homes overlooking Santa Clara Drive and for earthwork to mitigate the movement of the slide.

The homeowners previously signed agreements stating they were willing to sell, but they still have the option of accepting the offer, appealing the value for a higher amount, or rejecting it outright.

They have until a Dec. 2 deadline to decide, Dickie said. If they accept the offer, the city is prepared to move quickly to pay them and transfer the title. If any of them appeal, they can present their case to the council at the following general meeting set for Dec. 14.

The Larsens said they do not want to comment on the issue. Ray Bilancia and Patricia Nunnelly said Thursday they had not yet had time to thoroughly consider the packet of information delivered to them earlier in the day.

"We're going to do that tonight as a family," Nunnelly said. "They didn't offer us what we had hoped for. … It's not going to be comparable to what we have. … But we probably will have to (take it), though, because this place is falling apart."

Bilancia said he has lived in his home 20 years and Nunnelly said she has been in hers 24. They did not attend Wednesday's meeting, and Bilancia said he was unaware the council had planned to decide the offers then.

St. George real estate appraisal firm Morley and McConkie established the values. Dickie said the anticipated costs now exceed the original application by approximately $18,000, but the city may be able to save some money in other areas.

"The project can still go on without two of the properties. But one of the properties is pretty crucial" to the anticipated slide mitigation project, Dickie said.

"The actual work hasn't started yet," he said. "There's still some tests being done. … We should have most of the results in soon."

An Applied GeoTechnical Engineering Consultants crew operated a mud rotary drilling operation at the end of Circle Drive on Thursday as part of the ongoing ground exploration work, collecting soil samples.

"We're just hoping that this stabilization of the hillside will help," Dickie said.

AGEC's James Nordquist provided an initial evaluation of the slide in 2014 that showed two long-existing natural springs in the hill's slide zone that had been increasing their output in recent years and that there were new signs of instability in the slope.

In August, the council approved Nordquist's proposal to fund additional subsurface exploration, lab testing and engineering analysis.

"A major contributing factor in the stability of the hillside is the moisture and weathering conditions of the clay-like materials. The stability analysis conducted in 2014 assumed moist soil conditions on the southeast-facing slopes and only extended a few feet below the clay/bedrock surface along the southwest-facing slopes," the proposal stated. "In order to improve the reliability of the stability analysis, we recommend that the moisture and weathering conditions of the soil and bedrock behind the landslide mass be further defined."

The nature of the work is expected to be similar to the project undertaken in September in Washington City, between the Washington Parkway and the Coral Canyon subdivision, where a large amount of earth was placed against the foot of the hill and weight pressing on the upper part of the hill was reduced.

WYOMING:

Snowstorm hits Wyoming, closes roads in the southeast corner (Casper Star-Tribune)

The first widespread snowstorm of the season hit Wyoming on Thursday, dropping heavy snow and causing poor travel conditions in much of the state.

Much of the state was under a winter weather advisory Thursday, with winter storm warnings posted for Sheridan County, in northern Wyoming, and along the Wind River Range, in the central part of the state.

The slick conditions forced the closure of Interstate 80 and U.S. Highway 30 between Laramie and Cheyenne on Thursday afternoon, according to the Wyoming Department of Transportation.

Light snow fell Thursday in Casper, with a temperature of about 25 degrees and wind gusts expected to reach 34 mph, according to the National Weather Service. The weather service's Riverton office was forecasting the storm could drop 3 to 5 inches on the Oil City.

Lander and areas of Yellowstone National Park were estimated to have received a foot of snow. Up to 5 inches of snow fell on ski resorts in Jackson Hole.

Slick conditions were reported on parts of Interstates 80, 90 and 25, and no unnecessary travel was advised on a few two-lane highways in northern and central Wyoming.

The snow was expected to taper off Thursday afternoon, with below-freezing temperatures predicted for Friday.

Report: Disasters Are Even More Disastrous Than We Think (Wyoming Public Radio)

By editor • Nov 14, 2016

The devastation in floods, earthquakes or droughts is generally measured by how much stuff or assets people lose — say the number of wrecked houses and the dollar amount it would take to rebuild them. In the course of a year, that adds up to a lot of money: $300 billion by some accounts.

But a new report from a research group at the World Bank says the toll could be a lot more if it were to look beyond stuff that's lost and see how livelihoods are affected, particularly for a country's poorest people. Those losses aren't taken into account by traditional analyses — and could add up to an additional $200 billion a year, says Stephane Hallegatte, an economic analyst at the World Bank Global Facility for Disaster Reduction and Recovery group and lead author on the report.

"If magically, next year, we could prevent all disasters, 26 million people would be out of poverty," he says. Either because natural disasters destroy their wealth and push them down, or the shock prevents them from climbing out of poverty.

Goats and Soda spoke with Hallegatte about how natural disasters disproportionately hurt the poorest people — and ways to help mitigate some of that damage. The interview is edited for length and clarity.

When you looked at how much people lost in natural disasters, poor people were losing way more than rich people. But this fact wasn't captured in traditional analyses?

Yeah. We find that poor people are more often affected by natural disasters. If you look within cities, you find people in richer categories taking the best land and poor people in the risky places. This is because it's cheaper to live in a risky area or it's the only available land.

When they are hit [by disaster], all of their assets and wealth are in material form that can be destroyed. In villages, people have livestock that can die in a drought or flood. And people who are poor are twice more likely to live in fragile buildings that are completely destroyed when flooded or stormed, and they lose everything.

So if their livestock or a cart they use in a business is destroyed, poor people end up making less money?

Exactly.

Rich people will lose some of their wealth, too, right?

We take into account that when the rich person loses 10 percent in consumption, it means going to restaurants less or cutting vacation. But for the very poor people, this is education of kids, health care and food. So the value of one dollar is much higher for a poor person than for a richer person. [Some of] these consequences will last for generations. Like children being taken out of school.

One scary finding from a study [of over 52,000 children] in Mexico is that when kids are removed from school because of a shock, 30 percent will not go back. We also have evidence that parents have to cut food intake on the family [after a disaster]. When this happens to children between 0 and 2, this has permanent impacts on their physical development and the income this person will make for the rest of their life. What we find in case studies is that shocks poor people experience are eating at the very basic needs to survive to the point it has chemical impacts on them.

You bring up an example of the July 2005 flood in Mumbai, which caused like $400 million in damage. But when you looked at the damage to people's well-being, the toll went way up?

In the report, we use an estimate [where the loss in Mumbai] was 30 billion rupees, about 400 million of asset losses only. [But] the well-being losses were double that of asset losses at 60 billion rupees or $800 million. This is because poor people were 70 percent more likely to live in the flood zone, and they lost 60 percent more than the rest of the population when they were affected.

So a huge portion of the damage was shouldered by the poor people in the city. It seems if we were just to look at assets as a way of funding projects that protect against disasters, we would completely miss out on this enormous burden on poor people.

Looking at asset losses is not wrong per se. It gives you a sense of how much it will cost to reconstruct and rebuild. [But] if the World Bank wants to focus on the poorest people, it's not the right way of measuring [the impact on them]. We are making the point that if we pick a project [protecting against natural disasters or rebuilding] using only the asset losses, well, it will be for the richer areas and the richer people.

So the idea is to move toward investments that quickly help poor people recover from natural disasters so they don't have to pull kids out of school and put them to work and take other drastic measures to survive?

That's exactly our point. We have a list of policies that we recommend. Financial inclusion to make sure that poor people have savings in bank accounts that can't be destroyed in a flood and make it easier for them to borrow money after a shock. Then social safety nets that are designed to react to shocks. Kenya introduced a very innovative system to deliver financial support to people affected by droughts using mobile banking. Last winter, they could get money into the hands of people in less than two weeks. If you can do that in two weeks, you ensure the avoidance of starving kids and kids out of school and so on.

[These] and other tools smooth the shock but also avoid impacts that are irreversible.

As we try to eradicate poverty, the role of these shocks is becoming more and more important. We really see this work of helping people rebound after they are hit by a shock being more and more central to poverty reduction and development.

Other FEMA-related stories:

ABC: Severe Weather. ABC World News Tonight (11/17, story 4, 1:30, Muir, 14.63M) reported, "We do move on now to the other news this Thursday night. That first major blizzard set to hit, and the snowstorm already turning deadly. A difficult commute on the roads in Wyoming. Nine states, in fact, from Utah to Minnesota, in the storm's path, as the system moves east. At least one person killed in this pileup on Interstate 70 near Denver. And it was near Denver, temperatures dropped from 80 degrees one day to the 20s and 30s the next. ABC's Clayton Sandell from Colorado." ABC (**Sandell**) added, "Tonight, this winter storm is moving fast, but drivers are not. In Wyoming, cars spinning, sliding, and stalling in dangerously heavy snow that's bringing branches down on power lines. In the mountains west of Denver, state troopers are investigating deadly crashes on snowy roads. One major pileup of cars and trucks clogging the interstate. Chains are now mandatory." **Unidentified Speaker**: "It's pretty slippery. It's pretty dangerous out here." **Sandell**: "The storm is now shoving aside an unusually warm fall. It was golfing weather yesterday in Lincoln, Nebraska. Yesterday, Denver was record hot, 80 degrees. But today, it's only 34 degrees. A 46-degree drop in just 24 hours. In Denver, the snow is arriving about a month later than normal. And David, we're standing in the middle of Interstate 70, just west of Denver here. We understand there's a 20-car pileup just ahead, but right now, this major interstate is

completely shut down. David?” **Muir**: “Wow, the pictures bring it back and quickly. Clayton, our thanks to you.”

From: Welch, Randy
Sent: 24 Jan 2017 13:02:14 -0500
To: R8 All Hands
Cc: (b)(6) (b)(6) @state.co.us; (b)(6) @mail.mil; (b)(6) @mail.mil; (b)(6) @nd.gov; (b)(6) @state.sd.us; (b)(6) @state.sd.us (b)(6) @utah.gov; (b)(6) @wyo.gov (b)(6) @acf.hhs.gov; (b)(6) @usace.army.mil; (b)(6) @usace.army.mil; (b)(6) (b)(6) @state.mn.us;Peterson, Mark J; (b)(6) @hhs.gov; (b)(6) @hhs.gov; (b)(6) @hhs.gov; (b)(6) @sba.gov; (b)(6) @sba.gov;Nelson, Jason (b)(6) @fs.fed.us;Alexander, Daniel
Subject: FEMA Region VIII news clips for Tuesday Jan 24

Region VIII Clips

Tuesday, Jan 24, 2017

ANALYSIS

- *Colorado:* The Colorado Springs mayor may ask for less of the city's surplus to be used to solve its stormwater issue with Pueblo, instead proposing that some of the surplus be returned to taxpayers.
- *Montana:* The state's new insurance commissioner urged residents to get flood insurance before the spring thaw.
- *North Dakota:* A wide variety of media across the state picked up the news that President Trump was to sign an executive order to advance construction of the Dakota Access and Keystone XL pipelines. The Reuters story below says it is not clear if that order would supersede the decision by the Corps of Engineers to do another environmental assessment. … Three key reservoirs on the Souris River are already in compliance with their prescribed levels for February. The National Weather Service will issue a flood outlook on Friday.
- *South Dakota:* Two stories pick up on the press release from Governor Daugaard's office to report on his request for a Presidential disaster declaration for the late December storm.
- *Utah:* A winter storm snarled traffic and created avalanche danger. Storm warnings remained in effect into Tuesday morning.
- *Wyoming:* A long story in the *Wyoming Tribune Eagle* discussed the proposed West Edge project in Cheyenne, which ties a stormwater/flood mitigation project to economic development. A $3 million FEMA Pre-disaster Mitigation grant played a key role in the project. .. A web site reports that former North Dakota Governor Jack Dalrymple asked Wyoming via EMAC for riot police to help with the South Dakota pipeline protests.
- *Other FEMA-related stories:* A new weather satellite has produced spectacular images.

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Trump to sign orders for Keystone, Dakota Access pipelines (Reuters)

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Cheyenne's West Edge: Past, present and future (Wyoming Tribune Eagle)

North Dakota Allegedly Asked Wyoming For Riot Squads To Put Down 'Civil Unrest' At Pipeline Protests (The Daily Caller News Foundation)

FEMA-RELATED STORIES
You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

The First Images from the New Weather Satellite Just Arrived, And They're Absolutely Incredible (Washington Post)

STORIES

COLORADO:

Mayor changes plan for city's $9 million surplus (KOAA TV, Colorado Springs)

Posted: Jan 23, 2017 6:42 PM MST

By Greg Dingrando

COLORADO SPRINGS - Colorado Springs Mayor John Suthers has made a change to his plan on how to spend the city's $9 million surplus.

With the TABOR law, how to spend the money will ultimately be up to the voters, but the city can request to use it.

Originally, if he got voter approval, the mayor was wanting to spend all of the money on storm water improvements. But the alternative option of $50 in pocket would have likely been more appealing to voters.

With Colorado Springs' ongoing flood issues and looming lawsuits from Pueblo, the decision was pretty easy for some voters.

"I'd say fix the storm water," resident Craig Lindal said "I'd go with storm water. Help get more drains in so there's not as much floods and stuff," resident Juan Lopez said.

But there are plenty of others that want to take the money and run.

"I need the money. I want the money," another voter said. "I could put gas in my car, groceries in my house, lots of different things," resident Joseph Ward said.

Mayor Suthers said he recognized that divide and made the adjustment.

"We think we should split it. We don't think we should keep the whole thing, even though that would obviously help in the storm water deal," Suthers said.

Suthers proposed the city should get $6 million for storm water and the remaining $3 million plus will go back to the voters.

"I think its also nice to reward consumers spending that money and refund as much as we can," Suthers said, all while addressing what he calls the city's top priority. "This allows us to make investment in an area we have significant legal problems and hopefully solve that problem."

Suthers said it could also protect the city down the road. For the next five years the city has to pay $17 million a year on storm water to avoid getting sued. Suthers said using money from the surplus will save general funds in the future.

"Being able to apply the $6 million now in good times to save and invest that will shield us from having to make any cuts if there's a downturn a couple years from now," Suthers said.

The council will vote on the proposal Tuesday to put it on the April ballot. Either way, voters are in a pretty good position. If they say no to the city, roughly $50 will go back to each household through a utility bill reduction. If voters say yes, the city gets $6 million for storm water and each household would get about $20 back.

MONTANA:

Montana's New Insurance Commissioner Urges Residents To Get Flood Insurance Before Spring Thaw (KGVO, Missoula news/talk radio)

By Peter Christian January 23, 2017 6:28 PM

Montana's new State Auditor and Insurance Commissioner is rancher Matt Rosendale, a man who has lots of personal experience with flooding.

"Our ranch is right on the Yellowstone River over by Glendive," Rosendale said. "Obviously it's been collecting water and ice for 600 miles before it gets to our place, and all that ice gets caught in a turn in the river and it can flood the surrounding area in a big hurry. Folks need to be aware of that and they themselves stay out of harms way, but to also protect their homes with flood insurance."

Rosendale said homeowners are mistaken if they think their hazard insurance covers flooding. "It does not," he said. "Unless you have specifically invested in national flood insurance. They need to contact their current insurance agent to make sure they have invested in a flood insurance rider to make sure that you're covered. It is a separate policy."

Flood insurance policies typically do not take effect until 30 days after purchase, making advance planning critical for properties at risk of flooding.

Flood insurance is available in most parts of Montana through the Federal Emergency Management Agency's National Flood Insurance Program, and private flood insurance plans may also be available.

For more information about flood insurance in Montana, visit the commissioner's website at csimt.gov/your-insurance/flood or go to floodsmart.gov. The commissioner's office can also be reached at (406) 444-2040 to answer questions.

NORTH DAKOTA:

Trump to sign orders for Keystone, Dakota Access pipelines (Reuters)

By Steve Holland / Reuters Today at 9:57 a.m.



WASHINGTON - President Donald Trump will sign two executive actions on Tuesday, Jan. 24, to advance construction of the Keystone XL and Dakota Access pipelines, an administration official said, rolling back key Obama administration environmental policies in favor of expanding energy infrastructure.

The orders would be a bitter defeat for Native American tribes affected by the $3.8 billion Dakota Access line as well as climate activists after months of protests successfully delayed the Dakota project.

Energy Transfer Partners shares rose 2 percent in U.S. trading to $36.45 a share. Oil producers in North Dakota's Bakken region would likely benefit from transporting oil to the U.S. Gulf Coast through the 1,172-mile pipeline.

The Standing Rock Sioux Tribe, whose reservation is adjacent to the proposed Dakota pipeline, won a key victory when the U.S. Army Corps of Engineers in early December turned down ETP's request for an easement to tunnel under the nearby Missouri River.

Most of the pipeline was complete by the summer of 2016, except for a small section under Lake Oahe, a reservoir that forms part of the river.

The Army later said it would begin an environmental assessment that could delay the project further. It was not clear if Trump's expected order on Tuesday would supercede that move.

Standing Rock officials were not immediately available for comment.

Trump on Monday met with leaders of labor unions, including the Building and Construction trades group and the Laborers International Union of North America, who have been vocal supporters of both pipeline projects.

Both groups had endorsed Trump rival Hillary Clinton in the 2016 U.S. election, but disagreed with her opposition to the Keystone pipeline.

Former President Barack Obama rejected Transcanada Corp's Keystone XL oil pipeline, which would bring Canadian crude from Alberta into the U.S. Gulf, in 2015 after environmentalists campaigned against the project for more than seven years. Transcanada declined to comment. TransCanada shares rose 1.1 percent to hit their highest since September, but pared gains to last trade up 0.8 percent at C$63.30 on the Toronto Stock Exchange.
Trump's action, which comes in his fourth full day in office, would benefit producers concerned about limited pipeline capacity bringing oil to market from both North Dakota and Canada. U.S. oil production boomed in recent years and has resulted in fewer foreign imports of crude oil.

Souris River reservoirs are at the prescribed levels for Feb. (Minot Daily News)

It is never to early to prepare for the spring run-off season. Three key reservoirs on the Souris River Basin are already in compliance with water levels as prescribed by the International Agreement governing the operation of the reservoirs.

“We were at our February 1 target elevation this morning,” said Tom Pabian, Upper Souris national wildlife manager on Monday. “We’ll continue to lower Lake Darling at a slow to moderate rate.”

The Fish and Wildlife Service manages Upper Souris NWR, which includes Lake Darling. Lake Darling was at 1,595.99 feet early Monday afternoon and will likely drop another half a foot by Feb. 1. If so, that would put the lake about half a foot less than the 1,596 level as required by the International Agreement.

“We’ve got about 45 cubic feet per second coming in and 120 cfs going out,” explained Pabian. “The main point is we are letting out more water than is coming in and the lake is slowly going down.”

The water entering the north end of Lake Darling is coming from releases at Alameda Dam near Oxbow, Saskatchewan. Alameda is fed by Moose Mountain Creek, a major tributary of the Souris. The water level of Alameda was 1,840.48 feet Monday, slightly below the Feb. 1 target elevation of 1,840.64 feet.

Rafferty Reservoir, located on the Souris River at Estevan, stood at 1,801.47 feet Monday. The Feb. 1 target elevation for that impoundment is 1,802.90 feet. Rafferty has been below its allowed operating level throughout the winter.

The Saskatchewan Water Security Agency is expected to release their first run-off outlook of the season on Feb. 1. The National Weather Service is scheduled to issue their January Flood Outlook on Friday.

The International Souris River Board will hold a conference in Regina, Sask. on Thursday, Feb. 23 where they will examine the latest available data on snowpack, soil conditions and other factors of importance regarding spring snowmelt run-off. The group will use the information to determine whether or not 2017 will be declared a one-in-10 years run-off event for the Souris

River Basin. If a one-in-10 event is declared, the U.S. Army Corps of Engineers will assume operation of Lake Darling Dam.

SOUTH DAKOTA:

Gov. Daugaard requests Presidential Disaster Declaration for December storm (KSFY TV, Sioux Falls)

PIERRE, S.D. – According to the Department of Public Safety, Gov. Dennis Daugaard Monday requested a Presidential Disaster Declaration to help South Dakota recover from a late December storm that did more than $9.1 million in damage to public property.

The request covers public assistance in 24 counties -- Butte, Clark, Codington, Day, Deuel, Dewey, Edmunds, Fall River, Faulk, Grant, Haakon, Hamlin, Harding, Jackson, Jones, Marshall, McPherson, Meade, Pennington, Perkins, Roberts, Stanley, Sully and Ziebach. Also included is the Cheyenne River Sioux Tribe within Dewey and Ziebach counties and the Oglala Sioux Tribe within Jackson County.

The DPS said that in a letter to President Donald Trump, Gov. Daugaard says the storm started Dec. 24 and continued through Dec. 26. Blizzard conditions, high winds and freezing ice led to broken power poles, downed electrical lines and stranded motorists. Three deaths were associated with the storm.

“County and city governments were overwhelmed by the blizzard conditions and ice accumulations and struggled with maintaining accessibility for emergency traffic during the snowstorm,” Gov. Daugaard wrote the President. “When emergency officers responded to 911 callers, it took hours and a great deal of snow removal or specialized snow equipment to reach them.”

Earlier this month, Gov. Daugaard had requested that FEMA help the South Dakota Office of Emergency Management verify the public property damage information provided by the counties. That work was done last week.

The DPS said Gov. Daugaard stated in his letter that the state has responded to six previous Presidential Disaster Declarations since 2013. The Governor said the state still is working through the recovery process from those six disasters with FEMA.

“As you understand, recovery from disasters takes years after the initial event to fully recover physically, emotionally, and financially,” wrote the Governor. “This severe winter storm event impacted many of the same rural electric cooperatives as in the 2010 and 2013 disasters, which are still dealing with the financial ramifications and hardships from those events.”

The DPS said the request is necessary for federal disaster funds to be made available to South Dakota. If the President grants the declaration, up to 75 percent of eligible costs could be

reimbursed by the government. The Governor's request does not guarantee that funding will be made available to South Dakota.

Daugaard Seeks Presidential Disaster Declaration For Christmas Storm (KCSR radio, Chadron, NE)

PIERRE, S.D. (AP) - South Dakota Governor Dennis Daugaard has requested a Presidential Disaster Declaration to help with recovery from a late December storm that killed 3 people and did more than $9.1 million in damage to public property.

The request covers public assistance in 24 counties including Fall River, Pennington, and Meade as well as for the portion of the Pine Ridge Reservation in Jackson County.

Gov. Daugaard says verification of public property damage information provided by the counties was completed last week by the state Office of Emergency Management, assisted by FEMA. The request is necessary for federal disaster funds to be made available to South Dakota, but doesn't guarantee it. If the President grants the declaration, up to 75% of eligible costs could be reimbursed by the federal government.

In a letter to President Trump, Daugaard says the storm that began Christmas Eve and continued through the 26th with blizzard conditions, high winds and freezing ice led to broken power poles, downed electrical lines and stranded motorists.

Daugaard stated in his letter that the state has responded to six previous Presidential Disaster Declarations since 2013 and is still is working through the recovery process from them with FEMA.

UTAH:

Avalanche Warning, 20-plus Fender Benders In Salt Lake Area (AP)

Associated Press, January 23, 2017

SALT LAKE CITY (AP) – A winter storm packing heavy snow and high winds has prompted an avalanche warning in northern Utah and snarled traffic on icy roads across much of the state.

The Utah Highway Patrol responded to nearly two-dozen fender benders in the Salt Lake City area during Monday morning's commute but no injuries were reported.

Winds gusting to near 50 mph battered the mountain ranges from north to south late early Monday.

A foot or more of new snow is forecast by late Monday night, with up to 5 inches in the valleys.

The avalanche warning includes the Wasatch Range, Bear River Range and parts of southeast Idaho.

A winter storm warming remains in effect until 4 a.m. Tuesday from Logan south through Ogden, Salt Lake City, Park City, Provo, Cedar City, Bryce Canyon and Zion National Park.

WYOMING:

Cheyenne's West Edge: Past, present and future (Wyoming Tribune Eagle)

- By James Chilton, Wyoming Tribune Eagle
- Jan 16, 2017



- Cheyenne Metropolitan Planning Organization/Courtesy

This artist's rendering of the old steam plant at Snyder Avenue and 17th Street gives an idea of what phase two of West Edge improvements might look like. The city's part would be building the tree-lined pedestrian path and green space on the right side of the picture, while private investors would rehabilitate the old steam plant, building upon the city's initial investment.

CHEYENNE – Following years of planning, design, public input sessions and fiscal wrangling, the stage is set for 2017 to be a pivotal year for Cheyenne's West Edge initiative.

For the uninitiated, the West Edge initiative is a long-range effort by the city to provide new infrastructure and quality-of-life projects to the western portion of the downtown area. By using a seed of taxpayer funding now, the city hopes to eliminate some of the biggest roadblocks to private development in the West Edge: historic flood risk, lack of modern amenities and an industrial infrastructure that is poorly suited to pedestrian or bike traffic and outdoor events.

Once those roadblocks have been addressed, the working theory is that private investors will take over where the city leaves off, buying up decaying or vacant properties and repurposing them for any of a variety of uses: restaurants, a brewery, or high-tech commercial businesses, to name a few.

But it will ultimately fall to the city to take the first steps toward realizing the West Edge vision. And while the going has been steady, deliberate – perhaps even slow – the first phase of West Edge development will finally become a reality this year, even as voters contemplate whether to keep the initiative going.

THE BEGINNING

Before he left the city at the end of December, former Cheyenne Planning Director Brandon Cammarata explained the West Edge's first steps. It began as an idea for providing better stormwater controls for the downtown area – portions of which were devastated by a flood in 1982 and which still remain susceptible to the same.

"People aren't going to want to invest money in properties there if they know they're eventually going to get flooded out," Cammarata said.

So began the first phase of planning for what would become the West Edge initiative: It started with the simple premise of putting in new drainage interceptors and retention areas to lessen the likelihood of a major flood. But it didn't stop there.

"You also think about, what else is important in the downtown? And most people think having a level of open space, of green space in the area, is an important feature," Cammarata said.

"So when you look at flood control, you also look at the opportunity to have some open spaces there," Cammarata said.

In August of 2012, the city went to voters to request $4.8 million in sixth-penny sales tax revenues to that end. At the time, this newspaper referred to the request as being for a "downtown flood control project, including large storm sewer mains, wetlands and water detention."

It wasn't until one month later – after the ballot initiative was approved – that the term "West Edge" first entered the city's lexicon. With the $4.8 million approved, the city wanted to figure out just how far people wanted to take it, and launched a website to solicit the public's ideas for what they'd like to see.

"That got the ball rolling in terms of us being able to get out there and talk to the public about this idea," Cammarata said.

"What's it going to take to entice reinvestment into the West Edge, what are the barriers to reinvestment?"

From those responses, and working among themselves and with outside consultants, city planners came up with three key ideas for the West Edge's first phase: The 26th Street Interceptor, the Civic Center Commons and Pumphouse Park.

THE DRAWING BOARD

Each of the three projects has a practical purpose, first and foremost: getting water out of the streets, giving it more places to go and cleaning it up before it continues downstream.

The 26th Street Interceptor tackles the first of these goals. Though the least visible of the three projects, it may also be the most important in terms of what it sets out to do.

Put simply, the 26th Street Interceptor proposes putting a series of large stormwater pipes under the road – starting around 26th Street and Carey Avenue, then proceeding west to Bent Avenue, then south to 23rd Street.

From there, the pipe would split, with one section going two blocks south to Civic Center Commons, and the other turning west again to connect up with an existing stormwater pipe beneath Snyder Avenue.

Cammarata said, generally speaking, whenever it rains in Cheyenne, the stormwater flows south and east, roughly following the path of Randall Avenue. But currently the stormwater pipes in the area are too small to handle particularly heavy storms, and once those pipes are at capacity, the water has nowhere else to go but down the street.

"The problem is, when it keeps coming, the railroad (south of Lincolnway) acts as a dam," Cammarata said. "The interceptor would take some of the water that crosses 26th Street, catch it and put it in stormwater pipes, and then discharge that into Crow Creek."

In other words, the interceptor would serve as somewhat of a release valve for the downtown area in the event of a severe rainstorm, which is also the intended purpose of the Civic Center Commons, albeit in a slightly different fashion – while the interceptor will redirect stormwater, it doesn't do much to actually slow it down. That's where the Civic Center Commons comes in.

The commons is slated to go just west of the Cheyenne Municipal Building at 2101 O'Neil Ave., replacing an existing city parking lot. Its primary purpose is to serve as a detention pond – a large, sloping basin for excess rainwater to go.

But while the 26th Street Interceptor is strictly utilitarian, the Civic Center Commons has also provided planners the opportunity to address some of the quality-of-life concerns they've received from the public.

"When we were first talking about the (2012) sixth-penny initiative and why folks might be encouraged to vote for it, we were talking out opportunities to manage stormwater, as well as to leverage opportunities to further encourage economic development," Cammarata said.

The park is being designed so that, when it's not raining, it can provide a venue for a wide range of public events, from food truck rallies and farmers' markets to an outdoor movie or concert venue, complete with an amphitheater, step-seating and patio-like corners.

Pumphouse Park, meanwhile, has less to do with controlling water and more to do with cleaning it. The park, slated to go on a vacant lot south of West Lincolnway and just east of the Ames Avenue underpass, is designed to remove sediments from stormwater that collect as it flows through the downtown area.

The park includes a concrete grit chamber built into an existing 80-inch stormwater pipe so that when it rains downtown, water will be rerouted into a forebay and adjoining wetlands area. As the water meanders through various wetlands plants, microbes and ultraviolet radiation from the sun are expected to kill most of the E. coli bacteria in the water, while the grit chamber will help remove sediments before they discharge into Crow Creek.

As with the Civic Center Commons, Pumphouse Park has a dual purpose, providing both stormwater treatment and a pleasant park experience, with riparian plants designed to provide habitat for birds and animals. It will also include a gravel parking lot, a pedestrian bridge and a concrete bicycle path, as well as a raised sitting area where people could watch wildlife or passing trains from the nearby railroad tracks.

FUNDING, TIMELINES

While all three projects have been shaping up nicely during the last few years, none of them has actually been built yet. That's due to change this year, but in the meantime the city has also been finding ways to pay for all these projects, which easily exceed the $4.8 million voters approved for them in 2012.

"Controlling floodwaters, in and of itself, has an element of economic development opportunity if you're reducing risk," Cammarata said. "And being able to leverage additional things above and beyond what the sixth-penny ballot initiative was were opportunities we pursued."

Since the 2012 ballot initiative, Cammarata said the city was able to grow the initial $4.8 million into more than $14 million, thanks to a host of grants from local, state and federal sources.

Even before the sixth-penny ballot was approved, Cammarata said the city pursued and secured a $1 million Environmental Protection Agency grant in 2011 to pay for brownfield assessment – brownfields refer to former industrial or commercial sites where future use is hampered by real or potential environmental contamination, which is a concern for the once industry-heavy West Edge.

Using that money, Cammarata said the city was able to perform assessments on 28 properties in the West Edge, all the while developing further ideas for the sixth-penny ballot and what sorts of commercial and residential development were possible in the area.

Following the first EPA grant, Cammarata said the city also secured a second million-dollar Revolving Loan Fund Cleanup grant – augmented by a $200,000 match from the 2012 sixth-penny measure – meant to help people clean up their properties if they were found to be contaminated.

To date, Cammarata said none of that money has been used yet, since the city's emphasis has shifted to completing the three main West Edge projects. But as construction on those begins, he's hopeful that the city can renew its efforts to work with property owners to help get their land cleaned up.

"I'd been working on the West Edge a lot of my time the last 15 months, and a lot of that has been about keeping Civic Center Commons and Pumphouse Park moving forward," Cammarata said. "But we were hoping to get the revolving loan fund picked back up (this coming) summer, talk to more people, and try to figure out what's going to make this program work for them."

Other grants leveraged from the sixth-penny ballot include $135,225 in Housing and Urban Development block grants for property acquisitions, $450,000 from the Wyoming Nonpoint Source Task Force for stormwater management and green space creation at Pumphouse Park, and $1.7 million in federal Economic Development Administration funds to help pay for the 26th Street Interceptor.

Along with that latter grant, the state has also provided a $1.4 million match for the interceptor, coming from Wyoming Countywide Consensus Grants funding.

And the biggest grant to date has been $3 million from FEMA for flood control at Civic Center Commons.

"FEMA calls it 'pre-disaster mitigation' funding, and it's the largest grant they give in that sort of category," Cammarata said. "In order to get a grant of that nature, we had to show a high level of benefit to our community, as it's a highly competitive grant."

The necessity for the FEMA grant had been questioned by some engineering staff, after engineering spearheaded an unrelated stormwater interceptor project on 19th Street. Cammarata said the city came back to FEMA last summer to go over Civic Center Commons once more, to ensure the project was still needed.

"It took three to four months to redo the whole cost-benefit ratio and run that through again, and they still identified we have the grant for up to $3 million, so long as it's all used on stormwater costs," he said. "We got final approval in early December."

With all the funding secured, the question remains: four and a half years after the sixth-penny vote, where are the projects? And that, again, is where 2017 plays a pivotal role in the West Edge's development.

Before leaving the city, Cammarata anticipated that this is the year that all three projects will finally see construction. Pumphouse Park will be the first, as the city is already soliciting bids for that project, and it must be completed by early summer in order for the city to meet its grant requirements and deadlines.

The 26th Street Interceptor will likely be next, with Cammarata expecting it to go out for bid sometime this spring.

And then there's the Civic Center Commons.

Had he stayed on with the city, Cammarata said his plan was to continue with design in time to put the project out to bid by fall of this year.

"We're probably at about 35 percent or less design, and my plan was to really get into the design full bore over the course of the next few months," he said.

And while Cammarata has since been replaced by interim planning director and city engineer Jim Voeller, the Cheyenne City Council recently endorsed Cammarata's timeline, approving a resolution in which council members declared their desire to see Civic Center Commons proceed as originally planned.

PHASE TWO

But while the first phase of West Edge development will finally come to fruition this year, the city is not content to rest on its laurels.

Instead, it's asking for an additional $4 million in sales tax dollars in the upcoming sixth-penny election, tentatively scheduled for this May.

As was the case with the 2012 initiative, city planners do not have a precise idea of specific projects that the next ballot initiative may pay for. That would likely be determined just as it was the first time, by soliciting community input and working with stakeholders to figure out the best plan for the area.

With that said, however, Tom Mason, the director of the Cheyenne Metropolitan Planning Organization, said he expects the second phase of the West Edge to see a major pivot away from stormwater controls and toward economic redevelopment.

"Now that the (Pumphouse Park) wetlands is underway, and we hope the Civic Center Commons is underway with the funding in place to move forward, the next element of the West Edge the project management team thought we should focus on is the rail spur," Mason said.

He is referring to the railroad corridor stretching along Reed Avenue from Lincolnway in the south to 22nd Street in the north, where it bends and continues to the northwest.

A West Edge master land-use plan adopted by the city late last year identifies potential for a "Rail Line Sub-District" along the rail spur. The plan proposes the district be developed to provide amenities for mixed-use businesses, upper-story office and residential space, a pedestrian greenway and accessible parking.

"There are so many wonderful amenities up and down that rail corridor, from the old steam plant to the grain elevator and other warehouses," Mason said. "We feel if we develop a plan for this corridor, we need to prepare it so that we can figure out what the costs are and what are the options and things we could do in there."

If the first stormwater-related phase of the West Edge was about tilling the soil, then the second phase's emphasis on the rail corridor would be akin to planting the seeds – adding the needed infrastructure and quality-of-life amenities to set the stage for full-scale private investment to take root.

"With the first sixth-penny measure, we've addressed environmental, drainage and brownfields concerns, and now we're going to focus on the economic development of the West Edge by bringing this plan to a reality," Mason said. "But we have to do more detailed plans to know what it's going to cost, and surely the $4 million we're asking voters to approve this go-round isn't going to be enough – but it could be used as a match to other grants."

He noted that the first round of sixth-penny funding was leveraged into nearly triple the original amount, thanks to available grant funding and the city's aggressive pursuit of it. And once the city is able to see some of the first-phase projects through to completion, that could make it easier to secure additional grants with the second round of sixth-penny tax dollars.

"All the grants we've received up to now, they've all built off each other – grantors like the EPA, EDA, FEMA, they see others are approving the grants, and they're all on board," Mason said. "With this second phase, we see getting grants through the Federal Highway Administration. We see the type of grants that are being approved by the TIGER (Transportation Investment Generating Economic Recovery) program, and we think this could have a pretty good chance, since there's a big combination of different transportation modes, especially dealing with freight corridors, and the potential for economic development is huge too."

PRIVATE INVESTORS

For an idea of what sort of redevelopment is possible in the West Edge, one need look no further than to Dave Teubner and Dean Dexter of Warehouse Twenty One.

The two founded their business, a full-service marketing firm, in late 2006, well before the West Edge vision came together. In early 2007, Dexter and Teubner moved their business into a warehouse at 822 W. 23rd St., smack in the middle of the West Edge district.

In the years since then, the business has grown from three employees to 32 and has expanded its customer base well beyond Cheyenne's boundaries to include multinational firms like Lenovo. And as their business has grown, Dexter and Teubner have also reinvested in their building, buying it outright in 2010 and overhauling it into a hip workspace that blends modern furnishings with the building's original brick bones.

Now, the two are hoping to expand their operations by building a new combination office space and technical center several block south of their current location. That's the plan, anyway, but those plans will also depend, in part, on whether Cheyenne and its voters are willing to keep the West Edge project rolling along.

"We believe you do have to do infrastructure before you do sexy, so we're thrilled with the 26th Street Interceptor, the Pumphouse Park and the Civic Center Commons," Teubner said. "We're not disappointed, even, by the pace of it, necessarily. But each time the Civic Center Commons gets in trouble because of the planning and engineering department squabbles, our new investment is the one we're holding off on."

While they were among the first new businesses to develop in the West Edge, Dexter and Teubner believe they'll be far from the last, provided second-phase plans for the rail spur go through. While the possibilities are endless, the two are particularly excited about the prospect of getting more high-speed fiber-optic cable run through the corridor, which would provide a major boon to any burgeoning tech sector.

"Inclusion of fiber, that's almost the top priority; that and having really nice open space," Dexter said. "I have to believe any other tech business is going to feel the same way. The harsh reality is that with this business ... the type of people we want highly value open space, walking paths, places they can get out and be outside."

While many of Warehouse Twenty One's employees are Cheyenne natives, Teubner said he's proud to say his last seven hires have all been from out of the area, lured both by what his business does and what Cheyenne has to offer.

"They're young, talented, top of their industry, and they're in the industry of technology and design," he said. In other words, just the sort of economic diversification Cheyenne's leaders have long been talking about.

And while they've been less visible, other private investors have also been taking steps toward redevelopment along Cheyenne's rail spur. For example, Chet Halvorson and Craig Riley of West Edge Development Co. have continued to work with engineers, architects and the Wyoming Department of Environmental Quality on plans to renovate the former steam plant at 800 W. 17th St.

Dexter and Teubner said they've also been in contact with an investor who recently bought the old grain elevator at the northwest corner of Reed Avenue and 21st Street with plans to breathe life back into that building.

"These are local people. These aren't prospectors from outside, and these aren't cheap transactions," Teubner said. "These are local investments being made, and I think a lot of people are bullish about it, from our perspective."

"We're talking $15 million to $25 million of private investment that's on the precipice, that's ready to come in with this additional phase of West Edge development, and that's just what we know about," Dexter added. "I look at what they're asking for for sixth-penny investment and, man, that's nothing. The city would be stupid not to do it."

North Dakota Allegedly Asked Wyoming For Riot Squads To Put Down 'Civil Unrest' At Pipeline Protests (The Daily Caller News Foundation)

By Chris White

North Dakota's former Republican governor asked Wyoming Highway Patrol to send riot squads and cops with active shooter training to suppress violent anti-pipeline protests, according to documents obtained by a media advocacy group.

Former Gov. Jack Dalrymple asked Wisconsin for help dealing with "civil unrest" and "criminal activities related to opposition of the Dakota Access Pipeline (DAPL) project," according to public records communications obtained by Muck Rock.

The North Dakota Republican asked his Wyoming counterpart in a Emergency Management Assistance Compact (EMAC) request to send 40 officers to Morton County for assistance quelling what he deemed increasingly violent protests. An EMAC allows states to share valuable resources during emergency situations.

Dalrymple also a 40/37 mm chemical munitions launcher, which could have been used to discharge tear gas on anti-DAPL demonstrators. The Morton County sheriff's department used tear gas and high-pressured water hoses during November protests to disperse 400 "very aggressive" activists.

Anti-DAPL and Standing Rock Sioux members believe the line's construction would trample on tribal lands and potentially poison Lake Oahe. The pipeline's opponents continue to say the protests are largely peaceful and nonviolent.

Those responding to the governor's requests would be assigned to reconnaissance work, function as riot police otherwise known as mobile field force, or participate in Immediate Action Team (IAC), Dalrymple's office told Muck Rock. IACs are typically used in active shooter emergencies.

The Wyoming Highway Patrol has not responded to The Daily Caller News Foundation's repeated requests for comments, and The DCNF has been unable to reach Dalrymple to corroborate Muck Rock's reporting.

Law enforcement officers believe the federal government has purposely held back directing resources and crowd control support to the campsite. Some believe the Army Corps of Engineer's decision in December to reject the previously-approved DAPL came as a result of "backroom dealings" within the Obama administration.

Center for Individual Freedom in Virginia, for instance, filed a Freedom of Information Act request last week against Jodi Gillette — the sister of the Standing Rock's chairman, Dave Archambault II — seeking all communications between her and President Barack Obama regarding DAPL. Gillette was a policy adviser for the Obama administration from 2012 to 2015. Lee is trying to determine if Archambault had any communications about the project with Gillette prior to the Army Corps of Engineers' decision to halt construction pending an environmental impact review.

The National Sheriffs' Association suspected Gillette and Obama colluded to help energize the protesters. The group complained in October that Gillette's ties to the administration and the tribe helped prevent federal officials from helping control unruly protests.

Energy Transfer Partners, the company behind the DAPL, expects the line to create up to 12,000 construction jobs and provide millions in state and local revenues during the construction phase. The company's bottom line is taking a hit every day the project is offline — it is losing $20 million every day it is delayed.

FEMA-RELATED STORIES:

The First Images from the New Weather Satellite Just Arrived, And They're Absolutely Incredible (Washington Post)

By Angela Fritz

Washington Post, January 23, 2017

The satellite formerly known as GOES-R (so Prince, right?) has transmitted its first images back to Earth, and they are flooring. From the details on the face of the moon to the incredible resolution of cumulus over the Caribbean, these first pixels portend a sunny future for NOAA's new GOES-16 satellite.

Meteorologists are drooling. This release coincides with the first day of the American Meteorological Society's annual meeting. There are thousands of weather geeks in Seattle this week, and — at least on Monday — they're all looking at this next-gen satellite imagery.

As we've written before, GOES-R satellite has six instruments, two of which are weather-related. The Advanced Baseline Imager, developed by Harris Corp., is the "camera" that looks down on Earth. The pictures it sends back will be clearer and more detailed than what's created by the current satellites.

The ABI can scan half the Earth — or the "full disk" — in five minutes. If forecasters want to home in on an area of severe weather, it can scan that region every 30 seconds. Weather radars can't even scan faster than six minutes.

The other weather instrument, the Global Lightning Mapper, will continuously track and transmit all lightning strikes across North America and its surrounding oceans. Developed by Lockheed, it can detect the changes in light on Earth and thus the rate and intensity of lightning in thunderstorms and hurricanes.

GOES-16 is expected to go operational in November, approximately one year after its launch.

(Sample images can be seen at https://weather.com/news/weather/news/goes-16-first-images-noaa-nasa)

From: Tennyson, Stephanie
Sent: 24 Jan 2017 14:41:22 -0500
To: HQ-OEA Directors;Beasley, Philip;Caetano, Donald;Cappannari, Michael L;Deshong, Casey;Greff, Stacie;Hudak, Mary;Ike, Ryan;Peterson, Mark J;Pinkham, Dennis;Stoneking, Daniel
Subject: FW: PRESIDENT TRUMP TAKES ACTION TO EXPEDITE PRIORITY ENERGY AND INFRASTRUCTURE PROJECTS
Attachments: Construction+of+the+Keystone+XL+Pipeline.pdf, Construction+of+the+Dakota+Access+Pipeline.pdf, Construction+of+American+Pipelines.pdf, EXPEDITING+ENVIRONMENTAL+REVIEWS+AND+APPROVALS.pdf, Streamlining+Permitting+and+Reducing+Regulatory+Burdens+for+Domestic+Manufacturing.pdf

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From: White House Press Office [mailto:whitehouse-noreply@messages.whitehouse.gov]
Sent: Tuesday, January 24, 2017 2:29 PM
To: Tennyson, Stephanie <stephanie.tennyson@fema.dhs.gov>
Subject: PRESIDENT TRUMP TAKES ACTION TO EXPEDITE PRIORITY ENERGY AND INFRASTRUCTURE PROJECTS

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE
January 24, 2017

PRESIDENT TRUMP TAKES ACTION TO EXPEDITE PRIORITY ENERGY AND INFRASTRUCTURE PROJECTS

WASHINGTON, DC – President Donald J. Trump today signed a series of Executive Orders and Presidential Memoranda in keeping with his promise to reduce the burden of regulations and expedite high priority energy and infrastructure projects that will create jobs and increase national security.

Presidential Memorandum Regarding Construction of the Keystone XL Pipeline

With this Presidential Memorandum, President Trump will help fulfill the campaign promise of initiating the process for approving the Keystone XL Pipeline.
The Keystone XL Pipeline is an 1,100-mile crude oil pipeline to connect oil production in Alberta, Canada to refineries in the United States.

Construction and operation of the Keystone XL Pipeline, as well as oil production and refining activities related to it, would create tens of thousands of jobs for American workers, enhance our nation's energy security, support affordable and reliable energy for American families, and

generate significant State and local tax revenues that can be invested in schools, hospitals, and infrastructure.

Presidential Memorandum Regarding Construction of the Dakota Access Pipeline

With this Presidential Memorandum, President Trump directed the relevant Federal agencies (including the Army Corps of Engineers) to expedite reviews and approvals for the remaining portions of the Dakota Access Pipeline., a $3.8 billion, 1,100-mile pipeline designed to carry around 500,000 barrels per day of crude oil from the Bakken and Three Forks oil production areas in North Dakota to oil markets in the U.S.

At this time, DAPL is more than 90% complete across its entire route. Only a limited stretch of the project is not yet constructed. Timely review and approval of energy pipelines is critical to a strong economy, energy independence, and national security.

Presidential Memorandum Regarding Construction of American Pipelines

In keeping with his commitment to "Buy American, Hire American", President Trump directed the Secretary of Commerce, in consultation with all relevant executive departments and agencies, to develop a plan under which all new pipelines, as well as retrofitted, repaired, or expanded pipelines, inside the borders of the United States, including portions of pipelines, use materials and equipment produced in the United States, to the maximum extent possible and to the extent permitted by law. The Secretary shall submit the plan to the President within 180 days of the date of this memorandum.

Presidential Memorandum Streamlining Permitting and Reducing Regulatory Burdens for Domestic Manufacturing

With this Presidential Memorandum, President Trump helps fulfill the campaign promise of boosting domestic manufacturing by determining a plan of action for expediting approvals for manufacturing and reducing regulatory burdens.

Under this Presidential Memorandum, the Secretary of Commerce will conduct outreach to stakeholders and solicit comments from the public concerning Federal actions to streamline permitting and reduce regulatory burdens affecting domestic manufacturers.

The Commerce Secretary will submit a report to the President identifying recommendations to streamline Federal permitting processes for domestic manufacturing and to reduce regulatory burdens affecting domestic manufacturers. The report should identify priority actions as well as recommended deadlines for completing actions.

Executive Order Expediting Environmental Reviews and Approvals For High Priority Infrastructure Projects

With this Executive Order, President Trump will establish a framework for expediting environmental reviews for high priority infrastructure projects.

Delays and other inefficiencies in the environmental review and permitting process are severely impeding critically important projects to rebuild and modernize our nation's infrastructure, such as highways, bridges, tunnels, the electrical grid, ports, water systems, airports, railways and pipelines.

According to one study, our antiquated power rigs wastes the equivalent of 200 coal-fired power plants, water pipes leak trillions of gallons of water, and gridlock on roads and railroads wastes hundreds of billions annually.

Full text of these executive orders and memoranda will be published on the White House website http://www.whitehouse.gov.

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THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release January 24, 2017

January 24, 2017

MEMORANDUM FOR THE SECRETARY OF STATE
THE SECRETARY OF THE ARMY
THE SECRETARY OF THE INTERIOR

SUBJECT: Construction of the Keystone XL Pipeline

Section 1. Policy. In accordance with Executive Order 11423 of August 16, 1968, as amended, and Executive Order 13337 of April 30, 2004, the Secretary of State has delegated authority to receive applications for Presidential permits for the construction, connection, operation, or maintenance, at the borders of the United States, of facilities for the exportation or importation of petroleum, petroleum products, coal, or other fuels to or from a foreign country, and to issue or deny such Presidential permits. As set forth in those Executive Orders, the Secretary of State should issue a Presidential permit for any cross-border pipeline project that "would serve the national interest."

Accordingly, pursuant to the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct as follows:

Sec. 2. Invitation to Submit an Application. I hereby invite TransCanada Keystone Pipeline, L.P. (TransCanada), to promptly re-submit its application to the Department of State for a Presidential permit for the construction and operation of the Keystone XL Pipeline, a major pipeline for the importation of petroleum from Canada to the United States.

Sec. 3. Directives. (a) Department of State. The Secretary of State shall, if the application referred to in section 2 is submitted, receive the application and take all actions necessary and appropriate to facilitate its expeditious review. With respect to that review, I hereby direct as follows:

(i) The Secretary of State shall reach a final permitting determination, including a final decision as to any conditions on issuance of the permit that are necessary or appropriate to serve the national interest, within 60 days of TransCanada's submission of the permit application.

(ii) To the maximum extent permitted by law, the Final Supplemental Environmental Impact Statement issued by the Department of State in January 2014

regarding the Keystone XL Pipeline (Final Supplemental EIS) and the environmental analysis, consultation, and review described in that document (including appendices) shall be considered by the Secretary of State to satisfy the following with respect to the Keystone XL Pipeline as described in TransCanada's permit application to the Department of State of May 4, 2012:

(A) all applicable requirements of the National Environmental Policy Act of 1969, 42 U.S.C. 4321 *et seq.*; and

(B) any other provision of law that requires executive department consultation or review (including the consultation or review required under section 7(a) of the Endangered Species Act of 1973, 16 U.S.C. 1536(a)).

(iii) To the maximum extent permitted by law, any Federal permit or authorization issued before the date of this memorandum for the Keystone XL Pipeline shall remain in effect until the completion of the project.

(iv) The agency notification and fifteen-day delay requirements of sections 1(g), 1(h), and 1(i) of Executive Order 13337 are hereby waived on the basis that, under the circumstances, observance of these requirements would be unnecessary, unwarranted, and a waste of resources.

(b) Department of the Army. The Secretary of the Army shall, if the application referred to in section 2 is submitted and a Presidential permit issued, instruct the Assistant Secretary of the Army for Civil Works and the U.S. Army Corps of Engineers, including the Commanding General and Chief of Engineers, to take all actions necessary and appropriate to review and approve as warranted, in an expedited manner, requests for authorization to utilize Nationwide Permit 12 under section 404(e) of the Clean Water Act, 33 U.S.C. 1344(e), with respect to crossings of the "waters of the United States" by the Keystone XL Pipeline, to the maximum extent permitted by law.

(c) Department of the Interior. The Secretary of the Interior, as well as the Directors of the Bureau of Land Management and the United States Fish and Wildlife Service, shall, if the application referred to in section 2 is submitted and a Presidential permit issued, take all steps necessary and appropriate to review and approve as warranted, in an expedited manner, requests for approvals related to the Keystone XL Pipeline, to the maximum extent permitted by law, including: (i) requests for grants of right-of-way and temporary use permits from the Bureau of Land Management; (ii) requests under the United States Fish and Wildlife Service's regulations implementing the Migratory Bird Treaty Act, 16 U.S.C. 703 *et seq.*; and (iii) requests for approvals or other relief related to other applicable laws and regulations.

(d) Publication. The Secretary of State shall promptly provide a copy of this memorandum to the Speaker of the House of Representatives, the President pro tempore of the Senate, the Majority Leader of the Senate, and the Governors of each State located along the Keystone XL Pipeline route as described in

TransCanada's application of May 4, 2012. The Secretary of State is authorized and directed to publish this memorandum in the *Federal Register*.

(e) Private Property. Nothing in this memorandum alters any Federal, State, or local process or condition in effect on the date of this memorandum that is necessary to secure access from an owner of private property to construct the pipeline and cross-border facilities described herein. Land or an interest in land for the pipeline and cross-border facilities described herein may only be acquired consistently with the Constitution and applicable State laws.

Sec. 4. General Provisions. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

# # #

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release January 24, 2017

January 24, 2017

MEMORANDUM FOR THE SECRETARY OF THE ARMY

SUBJECT: Construction of the Dakota Access Pipeline

Section 1. Policy. The Dakota Access Pipeline (DAPL) under development by Dakota Access, LLC, represents a substantial, multi-billion-dollar private investment in our Nation's energy infrastructure. This approximately 1,100-mile pipeline is designed to carry approximately 500,000 barrels per day of crude oil from the Bakken and Three Forks oil production areas in North Dakota to oil markets in the United States. At this time, the DAPL is more than 90 percent complete across its entire route. Only a limited portion remains to be constructed.

I believe that construction and operation of lawfully permitted pipeline infrastructure serve the national interest.

Accordingly, pursuant to the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct as follows:

Sec. 2. Directives. (a) Pipeline Approval Review. The Secretary of the Army shall instruct the Assistant Secretary of the Army for Civil Works and the U.S. Army Corps of Engineers (USACE), including the Commanding General and Chief of Engineers, to take all actions necessary and appropriate to:

(i) review and approve in an expedited manner, to the extent permitted by law and as warranted, and with such conditions as are necessary or appropriate, requests for approvals to construct and operate the DAPL, including easements or rights-of-way to cross Federal areas under section 28 of the Mineral Leasing Act, as amended, 30 U.S.C. 185; permits or approvals under section 404 of the Clean Water Act, 33 U.S.C. 1344; permits or approvals under section 14 of the Rivers and Harbors Act, 33 U.S.C. 408; and such other Federal approvals as may be necessary;

(ii) consider, to the extent permitted by law and as warranted, whether to rescind or modify the memorandum by the Assistant Secretary of the Army for Civil Works dated December 4, 2016 (Proposed Dakota Access Pipeline Crossing at Lake Oahe, North Dakota), and whether to withdraw the Notice of Intent to Prepare an Environmental Impact Statement in Connection with Dakota Access, LLC's Request for an Easement to Cross Lake Oahe, North Dakota, dated January 18, 2017, and published at 82 *Fed. Reg.* 5543;

(iii) consider, to the extent permitted by law and as warranted, prior reviews and determinations, including the Environmental Assessment issued in July of 2016

for the DAPL, as satisfying all applicable requirements of the National Environmental Policy Act, as amended, 42 U.S.C. 4321 *et seq.*, and any other provision of law that requires executive agency consultation or review (including the consultation or review required under section 7(a) of the Endangered Species Act of 1973, 16 U.S.C. 1536(a));

(iv) review and grant, to the extent permitted by law and as warranted, requests for waivers of notice periods arising from or related to USACE real estate policies and regulations; and

(v) issue, to the extent permitted by law and as warranted, any approved easements or rights-of-way immediately after notice is provided to the Congress pursuant to section 28(w) of the Mineral Leasing Act, as amended, 30 U.S.C. 185(w).

(b) Publication. The Secretary of the Army shall promptly provide a copy of this memorandum to the Speaker of the House of Representatives, the President pro tempore of the Senate, the Majority Leader of the Senate, and the Governors of each State located along the Dakota Access Pipeline route. The Secretary of the Army is authorized and directed to publish this memorandum in the *Federal Register*.

(c) Private Property. Nothing in this memorandum alters any Federal, State, or local process or condition in effect on the date of this memorandum that is necessary to secure access from an owner of private property to construct the pipeline and facilities described herein. Land or an interest in land for the pipeline and facilities described herein may only be acquired consistently with the Constitution and applicable State laws.

Sec. 3. General Provisions. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

# # #

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release January 24, 2017

January 24, 2017

MEMORANDUM FOR THE SECRETARY OF COMMERCE

SUBJECT: Construction of American Pipelines

The Secretary of Commerce, in consultation with all relevant executive departments and agencies, shall develop a plan under which all new pipelines, as well as retrofitted, repaired, or expanded pipelines, inside the borders of the United States, including portions of pipelines, use materials and equipment produced in the United States, to the maximum extent possible and to the extent permitted by law. The Secretary shall submit the plan to the President within 180 days of the date of this memorandum.

"Produced in the United States" shall mean:

(i) With regard to iron or steel products, that all manufacturing processes for such iron or steel products, from the initial melting stage through the application of coatings, occurred in the United States.

(ii) Steel or iron material or products manufactured abroad from semi-finished steel or iron from the United States are not "produced in the United States" for purposes of this memorandum.

(iii) Steel or iron material or products manufactured in the United States from semi-finished steel or iron of foreign origin are not "produced in the United States" for purposes of this memorandum.

The Secretary of Commerce is hereby authorized and directed to publish this memorandum in the *Federal Register*.

DONALD J. TRUMP

# # #

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release January 24, 2017

EXECUTIVE ORDER

- - - - - - -

EXPEDITING ENVIRONMENTAL REVIEWS AND APPROVALS FOR HIGH PRIORITY INFRASTRUCTURE PROJECTS

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct as follows:

Section 1. Purpose. Infrastructure investment strengthens our economic platform, makes America more competitive, creates millions of jobs, increases wages for American workers, and reduces the costs of goods and services for American families and consumers. Too often, infrastructure projects in the United States have been routinely and excessively delayed by agency processes and procedures. These delays have increased project costs and blocked the American people from the full benefits of increased infrastructure investments, which are important to allowing Americans to compete and win on the world economic stage. Federal infrastructure decisions should be accomplished with maximum efficiency and effectiveness, while also respecting property rights and protecting public safety and the environment. To that end, it is the policy of the executive branch to streamline and expedite, in a manner consistent with law, environmental reviews and approvals for all infrastructure projects, especially projects that are a high priority for the Nation, such as improving the U.S. electric grid and telecommunications systems and repairing and upgrading critical port facilities, airports, pipelines, bridges, and highways.

Sec. 2. Identification of High Priority Infrastructure Projects. With respect to infrastructure projects for which Federal reviews and approvals are required, upon request by the Governor of a State, or the head of any executive department or agency (agency), or on his or her own initiative, the Chairman of the White House Council on Environmental Quality (CEQ) shall, within 30 days after a request is made, decide whether an infrastructure project qualifies as a "high priority" infrastructure project. This determination shall be made after consideration of the project's importance to the general welfare, value to the Nation, environmental benefits, and such other factors as the Chairman deems relevant.

Sec. 3. Deadlines. With respect to any project designated as a high priority under section 2 of this order, the Chairman of the CEQ shall coordinate with the head of the relevant agency to establish, in a manner consistent with law, expedited procedures and deadlines for completion of environmental reviews and approvals for such

projects. All agencies shall give highest priority to completing such reviews and approvals by the established deadlines using all necessary and appropriate means. With respect to deadlines established consistent with this section that are not met, the head of the relevant agency shall provide a written explanation to the Chairman explaining the causes for the delay and providing concrete actions taken by the agency to complete such reviews and approvals as expeditiously as possible.

Sec. 4. General Provisions. (a) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(b) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(c) All actions taken pursuant to this order shall be consistent with requirements and authorities to protect intelligence and law enforcement sources and methods. Nothing in this order shall be interpreted to supersede measures established under authority of law to protect the security and integrity of specific activities and associations that are in direct support of intelligence and law enforcement operations.

(d) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,
January 24, 2017.

# # #

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release January 24, 2017

January 24, 2017

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Streamlining Permitting and Reducing Regulatory Burdens for Domestic Manufacturing

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct the following:

Section 1. Purpose. This memorandum directs executive departments and agencies (agencies) to support the expansion of manufacturing in the United States through expedited reviews of and approvals for proposals to construct or expand manufacturing facilities and through reductions in regulatory burdens affecting domestic manufacturing.

Sec. 2. Stakeholder Consultation on Streamlining Permitting. The Secretary of Commerce shall conduct outreach to stakeholders concerning the impact of Federal regulations on domestic manufacturing and shall solicit comments from the public for a period not to exceed 60 days concerning Federal actions to streamline permitting and reduce regulatory burdens for domestic manufacturers. As part of this process, the Secretary of Commerce shall coordinate with the Secretaries of Agriculture and Energy, the Administrator of the Environmental Protection Agency, the Director of the Office of Management and Budget, the Administrator of the Small Business Administration, and such other agency heads as may be appropriate.

Sec. 3. Permit Streamlining Action Plan. Within 60 days after completion of the process described in section 2 of this memorandum, the Secretary of Commerce shall submit a report to the President setting forth a plan to streamline Federal permitting processes for domestic manufacturing and to reduce regulatory burdens affecting domestic manufacturers. The report should identify priority actions as well as recommended deadlines for completing actions. The report also may include recommendations for any necessary changes to existing regulations or statutes, as well as actions to change policies, practices, or procedures that can be taken immediately under existing authority.

Sec. 4. General Provisions. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable laws and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) The Secretary of Commerce is hereby authorized and directed to publish this memorandum in the *Federal Register*.

DONALD J. TRUMP

# # #

From: Hvinden, Brian
Sent: 30 Jan 2017 12:04:12 -0500
To: R8 External Affairs
Subject: Hoeven announcement on law enforcement support to ND for DAPL protests

01.27.17

Hoeven Announces Additional BIA Federal Law Enforcement Officers Headed to ND to Help State and Local Officers

WASHINGTON – Senator John Hoeven today announced that the Bureau of Indian Affairs (BIA) has dispatched 20 additional officers to North Dakota to help state and local law enforcement at the Dakota Access Pipeline protest sites. The additional officers will bring the total number of BIA officers at the site to 40.

Hoeven has been working with the White House, Department of Justice, DHS and other agencies to secure assistance. He recently spoke with DHS Secretary John Kelly about providing more CBP agents.

"We're working to get more federal law enforcement assistance to work with state and local law enforcement officers," Hoeven said. "The BIA has committed to provide an additional twenty officers, who should be there this weekend. In addition, we're working with both the Department of Homeland Security and the Department of Justice to provide additional resources as well."

-###-

Brian Hvinden
FEMA Region VIII External Affairs
303 235-4712 (office)
701 681-1454 (cell)
Brian.hvinden@fema.dhs.gov

From: Greff, Stacie
Sent: 23 Feb 2017 22:18:07 +0000
To: Dragani, Nancy;Deal, Timothy;Depalo, Lee
Subject: ND

Asked if anything more. Just sharing....

Sent from my iFEMA mobile device.

From: Floyd, Megan
Sent: Thursday, February 23, 2017 10:13:05 PM
To: Greff, Stacie
Subject: RE: Lamont

No. Things have been as peaceful as I think we could have hoped for. The few arrests haven't been violent (at least that I have heard about) and the burning of the structures was a ceremony end to the camp. Things could have gotten really bad, but overall, this has been a decent process.

It does look like there will be a protest/camp in DC in March to protest the DAPL but I haven't seen anything from a good source yet.

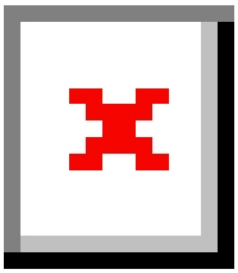
From: Greff, Stacie
Sent: Thursday, February 23, 2017 3:09 PM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: Lamont

Anything additional from your end that was missed?

Sent from my iFEMA mobile device.

From: (b)(6) @utah.gov
Sent: 8 Nov 2016 21:15:48 +0000
To: Greff, Stacie
Subject: North Dakota EMAC request 2016

DATE: November 8, 2016 2:14:26 PM MST



Dear PIOs,

The Division of Emergency Management has received the following request from North Dakota via the Emergency Management Assistance Compact (a system of state-to-state mutual aid). The request is for one PIO to support North Dakota for two weeks during the pipeline protests going on there.

If you are interested in supporting North Dakota, please let me know and I'll get you in touch with our EMAC coordinator.

Please read the following resource request. Here's the short version; the entire request follows:

Deployment period: 11/13-28/16
Description:

> One PIO to act in a support capacity to lead PIO for an ongoing protest incident in ND. 2 week deployment (14 days with 2 days for travel) for a total of 16 days Equipment needed: Laptop computer Assisting lead PIO with media calls, crafting fact sheets, timelines, media alerts, and news releases. Hours are Typically 8:00 am-5:00 pm.
>
> Safety: No safety or health concerns identified; Cold weather gear required.
>
> Working conditions: Field impacted area; Normal - infrastructure & support services operational; Mobile laptop and media phone will be issued.
>
> **Resource Request #1102-RR-5386**

Contact Name:	Geneva Anderson
Contact Email:	(b)(6) @nd.gov
Contact Phone:	(b)(6)
Update:	
Broadcasted To:	All
Total Recipients:	377

Event Name:	Dakota Access Pipeline (DAPL) Protest October 2016		
State Mission TN #:	16-073-227	EM Software TN #:	16-073-227
Requesting Agency:	State of North Dakota	EMAC TN #:	1102-RR-5386

Requesting State REQ-A Contact:

First Name:	(b)(6)	Last Name:	(b)(6)
Phone 1:	(b)(6)	Phone 2:	(b)(6)
Email 1:	(b)(6) @nd.gov	Email 2:	nddes@nd.gov

Mission Type/Source: State Type / Status:

Mission Description:	Public Information Offcier
Resource Description:	One PIO to act in a support capacity to lead PIO for an ongoing protest incident in ND. 2 week deployment (14 days with 2 days for travel) for a total of 16 days Equipment needed: Laptop computer Assisting lead PIO with media calls, crafting fact sheets, timelines, media alerts, and news releases. Hours are Typically 8:00 am-5:00 pm or as needed to respond to protest activities.
NIMS Type:	

# Requested:	1	# Type:	Personnel

Deployment Dates (including travel days):

Mobilization:		Demobilization:	
Deployment Date:	2016-11-13	Demobilization Date:	2016-11-28
Duty Length:	16		

Deployment Details:

Work Location/Facilities: State EOC

Location/Facility Name:	North Dakota State Emergency Operations Center
Address 1:	35 Fraine Barracks Lane
Address 2:	
City:	Bismarck
Zip Code:	58504
Working Conditions:	Normal - Infrastructure & Support services operational
Working Conditions Comments:	
Living Conditions:	Normal - All amenities available
Living Conditions Comments:	Cold weather gear
Logistics Comments:	Laptop Media cell phone will be issued

Identify Health & Safety Concerns (All selected Apply):

X	No Safety or Health Concerns have been identified
	Immunizations or Vaccinations are suggested to deploy
	Environmental Hazards Exist
	Personal Protection Equipment Needed

Safety Concerns/Remarks:

Requesting State Resource Coordination Contact:

First Name:	(b)(6)	Last Name:	(b)(6)
Title:	Logistics	Agency:	State of North Dakota
Phone 1:	(b)(6)	Mobile:	(b)(6)
Email 1:	(b)(6)@nd.gov	Email 2:	nddes@nd.gov

Staging Area and Point of Contact:

POC First Name:	(b)(6)	Last Name:	(b)(6)
Phone 1:	(b)(6)	Phone 2:	(b)(6)
Location/Facility Name:	North Dakota State Emergency Operations Center		
Address 1:	35 Fraine Barracks Lane		
Address 2:			
City:	Bismarck		
Zip Code:	58504		

Joe Dougherty, PIO
Utah Division of Emergency Management

(b)(6)
(b)(6)@utah.gov
Twitter: @(b)(6)

Utah Department of Public Safety
Utah Emergency Management

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Tuesday, Jan 31, 2017

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High Flood Risk For Northern North Dakota Communities

Category: Local News
Published: Monday, 30 January 2017 09:04
Written by Dean Penner



Water surrounds Pembina, N.D. during 2011 flood (File photo)

Saturated soil and a heavy snowpack have increased the chances of major flooding on the Red River in North Dakota.

The U.S. National Weather Service issued it's first flood forecast of the year on Friday and is predicting above average snowfall for the rest of the winter, increasing the chances of flooding on the Red River.

Areas in the northern part of Red River Valley are at significant risk, especially to the north of Grand Forks near Oslo, Minnesota, and Pembina, North Dakota, according to meteorologist Greg Gust.

"Last summer and fall, a lot of areas were pretty wet including areas across north central and northeast North Dakota into northwest Minnesota and right up into Manitoba. So, as the Red River pushes up through the Pembina gates, we're looking at a potential for a major flood level. Now, how that level translates into flow is something that we coordinate with hydrologists in southern Manitoba as well."

Manitoba flood forecasters are expected to release their first flood forecast of the year on Monday.

With so much snow this year, some have wondered if we might get close to the flood levels of 1997. Gust stated that's unlikely and suggests there is only a 5 per cent chance of that kind of event occurring this spring based on their numbers at Pembina.

"Right now we're looking at a risk pushing closely to the type of flows that were coming through Pembina back in 2011. So, somewhere between a 1996 and 2011 type flow, which is pretty significant," said Gust. "Now one thing to note about 2011 is that there was a lot of water that came through but it came through over a longer period of time so that the crest coming through Pembina wasn't as high as the 1997 flood, but the actual physical volume of water was actually higher."

NTSB set to release cause of fiery North Dakota train crash

- Associated Press
- 11 hrs ago

FARGO, N.D. — The National Transportation Safety Board will soon release the cause of a 2013 oil train derailment in eastern North Dakota.

The incident happened when a train carrying soybeans derailed in front of an oil tanker train near the small town of Casselton. It caused a series of explosions and the evacuation of hundreds of Casselton residents. No injuries were reported.

The incident contributed to a national discussion about the safety of moving oil by train.

NTSB investigators posted hundreds of pages of records on the derailment in 2015 and noted a broken train axle was found, but it wasn't pinpointed as a cause.

Results of the investigation should be released when the board meets next Tuesday, said NTSB spokesman Eric Weiss.

Crews begin bulldozing abandoned Dakota Access Pipeline protest camps

By WDAY on Jan 30, 2017 at 9:29 p.m.

CANNON BALL, N.D.—Crews are bulldozing the main camp used by protesters of the Dakota Access Pipeline near here.

The contractors were hired by the Standing Rock Sioux Tribe, and they're only bulldozing abandoned camps, not forcefully removing people, officials said.

The Morton County Sheriff's Department says it will begin removing security wire and barriers from the north side of the Backwater bridge later this week, as long as protesters don't engage in any criminal activity.

Highway 1806 will remain closed for now.

Flood funding looks hopeful

Legislators discuss flood money, other budget bills
Local News
Jan 29, 2017
Jill Schramm
Staff Writer
jschramm@minotdailynews.com

Legislative funding for the first four phases of Minot flood protection remains a possibility, despite a decline in the revenue available for water projects, according to state Rep. Roscoe Streyle, R-Minot.

Speaking at the Minot Area Chamber of Commerce legislative forum Saturday, Streyle said a legislative committee is taking a different approach to funding water projects – shunning earmarks to create "buckets" of funds for categories of projects. The flood bucket is projected to contain somewhere in the range of $150 million to $165 million.

"We are still trying to figure out what that dollar amount is, but there will be no earmarks," Streyle said. The governor's budget had included $70 million for Souris River flood control, which is short of the amount needed to complete that fourth phase of construction that the Souris River Joint Board hopes to include in the scope of work this biennium.

The state also faces a major funding request for flood control from Fargo. The governor's budget included $66.5 million.

“There’s more than enough money in that bucket to fund more for each project,” Streyle said, noting the intent is to provide around $80 million for Minot.

Another $65 million to $70 million is in a water bucket that would include the Northwest Area Water Supply project, he said. By remaining flexible rather than earmarking money, there is opportunity to direct needed funds to NAWS if a federal court rules favorably and restarts construction, he said. A lawsuit brought by Manitoba over potential organism transfer between river basins and by the state of Missouri over river water depletion has held up the project, designed to bring Missouri River water to the Minot region.

Overall, money collected from oil taxes for water projects is down, but not to the extent that projects can’t go forward, Streyle said.

“There’s a lot of money in that fund even at the depressed prices. We are even looking at doing some guaranteed funding availability on the flood side,” Streyle said, “where we would guarantee Minot the funding availability for the first four phases, which I think is critical.”
The first four phases include work on levees and flood walls on the western portion of the project in Minot. The work is estimated to protect about 60 percent of the at-risk population in the city.
Legislators at the forum also addressed other budget issues, including property-tax relief and new revenue sources.

Sen. Randy Burckhard spoke about Senate Bill 2206, which would have the state take over the cost of county social services. The cost is estimated at $275 million. Currently, counties can levy up to 20 mills for social services.

“It However, he added, the $825 million fiscal note is far over-stated, having been determined by the Legislative Council based on an interpretation of the bill that wasn’t quite what he had intended. Louser said he will be proposing the bill be turned into an interim study.

Senate Bill 2204, co-sponsored by Rep. Dan Ruby, R-Minot, would place a surcharge on traffic tickets to generate revenue for a new state radio system for law enforcement and emergency personnel. The bill places a $100 surcharge on major violations, such as driving under license revokation or suspension or causing an accident with an emergency vehicle or road maintenance vehicle. A $40 surcharge would be imposed on noncriminal violations, such as speeding or failure to yield.

Sen. Karen Krebsbach said funding to upgrade the state radio network is important not only for the state but for counties and cities that rely on the communications system.

“The equipment that they have been using is getting old,” she said. “I know this has been an issue for them for quite some time.”

Ruby said traffic fines go into a school trust fund, so to generate additional money for other funds requires imposing a surcharge.

could be really big news for permanent property tax relief,” Burckhard said.

Rep. Scott Louser said his House Bill 1388, to be heard in committee Monday, also is designed to address property taxes. The 13-page bill includes language that has the state taking over the cost of K-12 education, but Louser said the bill has little future.

“If the concept was bad, the fiscal note was worse,” he said. “It’s a bit more expensive than I expected.”

Additional BIA officers to be dispatched to ND to assist with DAPL protests

KFYR-TV, Bismarck
Posted: Fri 5:00 PM, Jan 27, 2017 |
Updated: Fri 5:02 PM, Jan 27, 2017

WASHINGTON, D.C. - Senator John Hoeven announced Friday the Bureau of Indian Affairs has dispatched 20 additional officers to North Dakota to help state and local law enforcement at the Dakota Access Pipeline protest sites.

This will bring the total number of BIA officers at the site to 40.

“We’re working to get more federal law enforcement assistance to work with state and local law enforcement officers. The BIA has committed to provide an additional 20 officers, who should be there this weekend. In addition, we’re working with both the Department of Homeland Security and the Department of Justice to provide additional resources as well,” Hoeven said.

SOUTH DAKOTA:

UTAH:

WYOMING:

FEMA-RELATED STORIES:

FEMA Taps New Flood Insurance Direct Service Provider

By Jacob Passy
January 30, 2017

The Federal Emergency Management Agency has tapped Torrent Technologies as a direct service provider for the National Flood Insurance Program.

As a direct service provider for the program, Torrent will help in the response to flood events and in improving the customer experience for the program's policyholders. The company will also handle data security.

Torrent is a subsidiary of Marsh LLC, a global insurance broking and risk management company.

"When households and businesses suffer from a flood, they need to be paid quickly and accurately so they can restore their lives and their property," said Kevin Tobin, president and CEO of Marsh's Insurance Services Group.

"We believe Torrent's advanced technology will enable us to interact more efficiently with those who may have suffered a flood loss and accelerate the payment of claims."

The company noted that it will continue to make investments in the proprietary TorrentFlood system to improve the speed and efficiency of claims payments and to streamline the application process for agents.

Region VIII Clips

Wednesday, Feb 1, 2017

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Red flag warning issued on the Colorado plains, winter storm warning for the mountains Colorado Springs Gazette

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Heavy Precipitation Raises Red River Flooding Concerns Minneapolis Star Tribune and Fargo Forum.

Standing Rock Sioux want 'no forcible removal' of protesters from Dakota Access pipeline site Washington Post and outlets nationwide.

Souris flood claims another victim Minot Daily News editorial concerns demolition of historic flour mill.

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You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

STORIES

COLORADO:

Elbert County Wildfire Forces Saturday Afternoon Evacuations

By Noelle Phillips
Denver Post, February 4, 2017

The Elbert County Sheriff's Office asked residents in the Chaparral neighborhood to evacuate Saturday afternoon because a wildfire was threatening the neighborhood.

The brush fire had consumed more than 20 acres near Way of Patience and Way of Joy in northeast Elbert County as of 4:30 p.m., according to the sheriff's office's Facebook page.

After 6 p.m., the Sheriff's Office reported the blaze was 90 percent contained and no homes were in danger.

Fire crews from Elizabeth, Rattlesnake, Kiowa, Agate and Deer Trail had responded, according to the Elizabeth Fire Rescue Facebook page.

This story will be updated as more information becomes available.

Red flag warning issued on the Colorado plains, winter storm warning for the mountains

By: **Chhun Sun**
February 6, 2017 *Updated: 4 minutes ago*

0

Don't put away your hiking shorts just yet.

At least another day of outdoor-friendly weather is in the forecast, though expect some strong winds as well.

According to the National Weather Service in Pueblo, Colorado Springs could see a high near 61 degrees on Monday with mostly sunny skies. However, the northwest winds are expected to reach between 10 to 15 mph with gusting at 35 mph.

Areas to the southeast of Colorado Springs will be in a red flag warning from 11 a.m. to 5 p.m. Monday. Gusty winds and low relative humidity will impact Kiowa, Prowers, Bent, Baca, Otero and Crowley counties. Temperatures will remain in the mid to upper 60s in those areas, the weather service said.

Some mountain parts of Colorado, including around Aspen, will be under a winter storm warning from 6 p.m. Monday until 6 p.m. Wednesday, the weather service said. Fremont and Monarch passes will be impacted, with snow accumulation expected in excess of 10 inches, the service said.

Southwestern Colorado, in the eastern San Juan and La Garita Mountains, will be under a winter weather advisory from 6 p.m. Monday until 11 p.m. Tuesday, the service said. Snow accumulation of five to 10 inches is expected, the service said.

Though surrounded by various weather warnings, Colorado Springs will escape all of them. Temperatures will remain mild.

Evening temperatures are forecast to drop to a low around 36 degrees.

The weather service predicts high wind speeds to continue Tuesday with 20 to 25 mph winds and gusting at 40 mph.

According to a report by meteorologist Jessica Lebel of Gazette news partner KKTV, showers are possible Tuesday mainly west of Interstate 25. "Otherwise, the forecast looks dry," she added.

Colorado lawmakers ask Congress to fix wildfire funding

Mitigation projects are being postponed because of costly wildfires

By Luke Perkins
Herald Staff Writer

DENVER – The cost of fire suppression nationwide has nine times exceeded $1.5 billion since 2000, including reaching a high of $2.1 billion in 2015.

Colorado state legislators expect the costly trend to continue because of a federal funding mechanism that pulls money that could be used for mitigation projects that could reduce the severity of wildfires.

With this in mind, the state Senate sent a request last month to Colorado's congressional delegation requesting a change in how funding for wildfire response is prioritized across the nation.

Senate Joint Memorial 1 petitions Congress to increase the funding for wildfire suppression for federal land management agencies, such as the Forest Service, Bureau of Land Management and National Park Service.

Sen. Matt Jones, D-Louisville, said the agencies transfer money to cover wildfire response costs from other parts of their budget, which leaves fire mitigation and improvement projects underfunded after bad fire years.

"The problem is year after year, the federal government finances the Forest Service at a rate, and it eats a percentage of their budget up more and more and more, and it's projected (in 2017) to be almost two-thirds of their budget," Jones said.

The funding formula for wildfire suppression is based upon the average costs over the previous 10 years, Babete Anderson, national press officer for the Forest Service, said in an email. The increased complexity of wildfire suppression has resulted in the cost exceeding the average nearly every year since 2002, with 2005, 2009 and 2010 being the exceptions.

When the 10-year average is exceeded, money must be drawn from unobligated sources or other programs in a process called a "fire transfer," Anderson said.

The practice allows for fire suppression to be funded when emergencies arise, but it can lead to postponed projects, Anderson said. "When fire transfer occurs, the agency is forced to divert money away from the same forest restoration projects that prevent or lessen the impacts of future wildfire."

This funding is typically replenished by Congress but can lead to disruption of projects and seasonal work, she said.

In Region 2 of the Forest Service, which includes Colorado, fire transfers in 2015 negatively affected the number of acres of beetle-impacted forest prepared for commercial treatment, reduced the amount of stewardship contracts awarded for mitigation of national forest lands, and cut forest health fieldwork as a result of shorter seasons for employees on temporary contracts, Babete said. All of that resulted in less fuel-load reduction and increased safety issues from the potential for severe fires.

Jones said the reduction in mitigation work is key to the argument for increased funding. Delaying it could mean increasingly severe wildfires down the line.

"That's the kind of work that needs to happen day to day in the Forest Service without having this money borrowed out of their account," Jones said.

It's a perennial issue in the state Legislature and elsewhere, he said. "A number of states have

been asking for this for a while, and we're just keeping up the pressure."

In Congress, it is seen as a bipartisan issue that needs to be addressed, Anderson said.

"More than 150 bipartisan congressional members have voiced support to remedy this budget issue," she said.

What form a remedy might take is up in the air, but several have been put forward, she said. "The Obama administration proposed funding fire suppression using a disaster cap adjustment, requiring the agency to budget for 70 percent of the 10-year rolling average, and allowing the agency to draw on funding appropriated government-wide for disasters."

Other options during Congress' last session included the Emergency Wildfire and Forest Management Act of 2016, which creates a Wildfire Suppression Operations Account that would hold funds the president could transfer in times of disaster to land managers for suppression operations.

This act was introduced in 2016 and assigned to the Senate Agriculture, Nutrition and Forestry committee but has not been heard in committee, according to congress.gov.

Jones said he hopes Congress will come to a conclusion sooner rather than later on how to address the issue, but he stressed that any solution must be adequate to the growing needs of fire mitigation.

"It's important we get this right, and we have got to get ahead of this because we have got to do more mitigation," he said.

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MONTANA:

NORTH DAKOTA:

Heavy Precipitation Raises Red River Flooding Concerns

Associated Press, February 5, 2017

MINNEAPOLIS (AP) – After several dry springs, communities are keeping a wary eye on the Red River in case it's due for another flood.

The region has been soaked with double the usual amount of winter rain, sleet and snow this winter, prompting the National Weather Service to recently issue an early warning about potential spring floods.

Meteorologists say there's a risk of moderate flooding around Grand Forks, North Dakota, and East Grand Forks, Minnesota.

But community officials said they're confident their defenses will protect their communities.

"We don't do much of any sort of sandbagging anymore, with the flood protection system we have here," East Grand Forks Fire Chief Gary Larson told the Star Tribune.

The river has flooded in 50 of the past 111 years. This year marks the 20th anniversary of the catastrophic flood of 1997, which submerged communities from Wahpeton-Breckenridge to Fargo-Moorhead to Grand Forks-East Grand Forks and beyond, inflicting billions of dollars in damage across the region.

Spring snowmelt trickles into the north-flowing Red and backs up behind ice jams in still-frozen stretches of the river downstream. But the real problem is the region's pancake-flat terrain, which allows floodwaters to spill and spread across the prairie for miles in every direction.

"The slope of the Red River Valley is so gentle," said Brad Hopkins with the National Weather Service in Grand Forks. "It takes a long time for water to move out of the system once a flood occurs."

If a major flood were to hit the Fargo-Moorhead area this spring, which is unlikely if the current forecast holds, it would be the first test of a new network of $105 million worth of flood control structures, including new pumping stations and some 12 miles of levees.

"The forecast is not as grave a concern as it would have been in previous years," Moorhead City Engineer Bob Zimmerman said.

The forecast could change, however. The National Weather Service will update its flood outlook for the Red River Valley at the end of February.

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Information from: Star Tribune, http://www.startribune.com

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Standing Rock Sioux want 'no forcible removal' of protesters from Dakota Access pipeline site

By Juliet Eilperin, *The Washington Post*

Standing Rock Sioux Tribe officials said this weekend that while they were working with federal authorities to stabilize the situation at the Dakota Access Pipeline protest site, they were not calling on law enforcement to forcibly remove activists there.

After months of protests, both tribal officials and residents in the town of Cannon Ball, North Dakota, have asked those opposed to completion of the controversial, 1,170-mile pipeline to leave. A few hundred activists remain, both on the Standing Rock Sioux's reservation and on neighboring land.

Tribal officials and their allies, including environmentalists and many military veterans, argue that the project could cause environmental damage and disturb ancient burial sites. Proponents, including President Donald Trump and many business and labor leaders, say it will spur economic growth in the United States and provide a means of safely transporting heavy crude from western North Dakota to the pipeline networks and refineries in Illinois.

On Friday evening, the acting assistant secretary for Indian affairs, Michael S. Black, said that the agency had sent "enforcement support and would assist" the tribe "in closing the protest camps within the Standing Rock Reservation boundary."

But tribal officials responded over the weekend that while they wanted people to leave the reservation, they did not want them arrested or ousted by force. On Wednesday, law enforcement authorities arrested 74 protesters who had decamped to land owned by the pipeline's developer, Energy Transfer Partners.

"We want to stress that we are cleaning the camps, not clearing them," the tribe posted on Facebook on Saturday. "We do not support or endorse any 'raids.' We have not asked for law enforcement to assist in clearing camps and in fact have repeatedly told them there will be no forcible removal."

Tribal officials have been trying to persuade protesters to leave on their own, although it is unclear whether they will do so. The extended period of encampment has caused soil erosion that could cause significant flooding, depending on future weather conditions.

Trump has instructed Army Corps of Engineers officials – who withheld the final permit needed to complete the pipeline project in December, citing the need for a more extensive environmental review — to expedite its review of Energy Transfer Partners' application. Officials confirmed last week they were accelerating their review but had not reached a final decision yet.

In the Facebook post, the tribe officials emphasized that they would continue to fight any federal permit for the pipeline in court but that opponents had to be sensitive to those living around the reservation.

"One of the key tenets of any movement is being considerate about how we treat the community in which we bring our voices and respect the places where we are visitors," it said. "The community of Cannonball has every right to choose how it wants people to help them. We are still focused on defeating DAPL on all fronts."

Souris flood claims another victim

Editorials
Feb 6, 2017

The Souris River flood of 2011 has made a victim out of another Minot landmark.
As we reported last week, the former Minot Flour Mill along Third Street Northeast is slated to be moved to make way for flood protection.

While the building is now rather unattractive and therefore probably not seen as much of a loss by many people, the mill is very much part of the town.

In fact, Third Street was originally called Mill Street back when more streets and avenues had names rather than numbers.

Reporter Jill Schramm said in her report that the history of the mill goes back prior to 1904 when pioneer businessmen Erik Ramstad and Alfred Blaisdell founded the Minot Milling Co. Snow White Flour was made there for many years, milled from spring wheat grown by local farmers on nearby fields; a huge source of pride for locals in those days.
There have been a number of buildings many Minot residents wish could have been saved, most notably perhaps the International Harvester Building, also downtown. Older residents would also remember the Elks Home, on South Main Street, and perhaps the Methodist church near the high school.

All of those building were beautiful structures, wonders in their time. They merely outgrew their usefulness, at least in the eyes of their owners. No foul there.

The Minot mill, also splendid in its day – judging by old photos – will see its demise for a different reason. It's in the way of an important flood control project that will benefit the entire Magic City.

When it is finally gone, hopefully the Minot Flour Mill will be remembered as it once looked, not for its present condition. And that it was sacrificed to help tame the river it has stood by for more than a century, through flood after flood after flood. May the "historic" 2011 flood of the Souris River be its last.

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STORIES

COLORADO:

Hydrology study recommends higher peak discharges

By David Persons
Trail-Gazette

POSTED: 02/08/2017 06:51:45 AM MST

The recently-released hydrology study of four key watersheds in the Estes Valley is technical in nature and lengthy (333 pages).

However, there are a couple takeaways from this study that can be easily understood.

First, the study of the four watersheds — Fall River, Upper Big Thompson River, Black Canyon Creek, and Dry Gulch — will not replace current peak discharges that are used to update hydrology and floodplain mapping until it goes through a review process and ultimately approved by the Federal Emergency Management Agency (FEMA).

Second, the study reveals that it is recommending that peak discharges for 100-year flood events be greatly increased. The FEMA principal regulatory floodplain boundary is determined by the 100-year flood event. Therefore, that will have a definite impact, if accepted, on local floodplain mapping.

These points and many others will be discussed at an education meeting 6 p.m. Feb. 27 at the Estes Park Event Center. The hydrology study can be found online at https://www.colorado.gov/townofestespark/floodmitigation. Just click on Read the Hydrology Study Report.

The hydrology study was done for the town by Wright Water Engineers, Inc. (WWE) and includes peer review comments with consultant responses at the end.

In the executive summary portion of the study, it's clear that the reason for this study is to update floodplain hydrology and mapping that was developed in the mid-1970s. It is

pointed out that the 2013 flood was the catalyst for this action since the four watershed drainageways all experienced significant flooding.

It explains that WWE used widely-accepted engineering methods and applied them to over 30 years of additional stream gauge data and more advanced engineering resources to update the "effective floodplain hydrology" for 2-, 5-, 10-, 25-, 50-, 100-, and 500-year flood events.

The additional stream gauge data includes information from the 1976 Big Thompson flood, the 1982 Lawn Lake flood, and a significant event in 1965 when Fall River overflowed.

"Effective hydrology" refers to the regulatory peak discharges used by FEMA for flood insurance purposes.

Previous hydrologic and hydraulic analyses — Gingery Associates in 1977 and Limons, Li & Associates, Inc. in 1985 — were also studied and analyzed in this report.

According to Estes Park Floodplain Manager Tina Kurtz, the study uses all existing information, including the 2013 discharge data.

"The study includes data from a number of parameters, such as rainfall, soil types and infiltration rates, in addition to discharge data," Kurtz said. "Also, we now have more advanced methodologies and technology to determine peak discharges than were available in the 1970s."

One of the most interesting tables in the study is Table 13. It shows the current flood insurance study (FIS) peak discharges and recommended new peak discharges.

When studying the 100-year peak discharges in this table, it is obvious that every location (with the exception of Dry Gulch) has a greatly increased discharge flow. Some are doubled and some are nearly tripled. Especially notable is that Fall River at the confluence with the Big Thompson River in downtown currently has a discharge flow of 680 cubic feet per second (cfs) in a 100-year flood. The new recommended discharge flow is 1,860 cfs, 2.7 times the current accepted discharge flow.

Kurtz said that this study will provide important information for the Estes Valley remapping effort but is just another part of a larger effort to remap the flood-affected areas along the Front Range that sustained significant damage by the 2013 flood.

She said the Colorado Water Conservation Board (CWCB) is the lead agency coordinating the Colorado Hazard Mapping Program. This effort is being funded by the Colorado Legislature.

All studies, including the Estes Valley study, are part of an effort to meet FEMA's guides and standards for regulatory map updates.

Kurtz said the state will eventually submit updated floodplain maps and the hydrology study to FEMA to begin the official regulatory map update process.

She added that there will be an extensive public review and comment process during the period between submission of the report and maps to FEMA and the FEMA adoption of the maps.

The next step in the process will be to present the Estes Valley hydrology study to the Colorado Water Conservation Board for state adoption at its March meeting in Greeley. This is a separate process from FEMA acceptance of the report and maps.

The state will then complete new floodplain maps in late spring/early summer after which will be public meetings held by the state to review the maps.

Kurtz added that the Town Board will have to make a decision as to whether or not the town will use the new hydrology and floodplain boundaries for its floodplain regulatory purposes prior to the adoption of new floodplain boundary maps by FEMA.

Once the new boundary maps are adopted by FEMA, the town will be required to regulate to the new hydrology and adopted maps. Changes to flood insurance requirements will not be effective until FEMA adopts new maps.

El Paso County OKs Push For Federal Grant For Regional Terror-threat Preparedness

By Matt Steiner

Colorado Springs (CO) Gazette, February 7, 2017

The Board Of County Commissioners begin their meeting with an invocation following the oath of office for the new County Commissioners at Centennial Hall on Tuesday, January 10, 2017. Photo by Stacie Scott, The Gazette

A group of a dozen county, city, nonprofit, military and law enforcement leaders are concerned about the threat of terrorist attacks in the Pikes Peak area. And that conglomerate is looking to be ready if such a threat ever becomes reality.

El Paso County commissioners gave their approval Tuesday morning to a grant application that could bring more than $2 million to the region for learning the most efficient way to prepare for and react to a complex coordinated terrorist attack, or CCTA.

Commissioner Peggy Littleton spearheaded a campaign over the past two months to pursue the Federal Emergency Management Agency money. She says that the Pikes Peak region, which is home to the U.S. Army's Fort Carson, Schriever and Peterson Air Force bases, the U.S. Air Force Academy, and the North American Aerospace Defense Command, needs to stay on top of any potential threat.

Littleton was echoed by several city, military and regional leaders that signed letters of support and others who attended a mid-December meeting where Littleton introduced the grant opportunity.

"This project is tailor-made for Colorado Springs and the rest of the region," said Art Glynn, a defense consultant who was at the December meeting.

The commissioners' unanimous approval gives the county until just before midnight on Friday to submit its application. Then FEMA will announce between 25 and 30 grant winners in April. The federal agency has more than $35.9 million available for qualified applicants.

Brian Olson, with the El Paso County budget division, said at Tuesday's Board of County Commissioners meeting that if the application is approved, the county and its partners will have three years beginning in June to use the $2 million on specific initiatives that will include table-top and full-scale CCTA exercises.

"The goal is to have a full plan to be shared by the entire region," Olson said, noting that local groups will not have to provide any matching money to supplement the FEMA grant.

Among the regional partners involved are the county, the City of Colorado Springs, all of the area's military bases, the YMCA of the Pikes Peak Region, the City of Fountain, Colorado Springs Airport and the Council of Neighbors and Organizations.

El Paso County Director of Public Works Jim Reid said the region has staged emergency exercises multiple times in the past. The police force at the University of Colorado Colorado Springs held an active-shooter exercise in 2007 after more than 30 people were killed on the Virginia Tech University campus. A "mass casualty" drill commenced in Colorado Springs and Hanover in 2010. And in early 2016, about 400 people took part in a "deep freeze" simulation to learn best practices during a catastrophic blizzard.

The need for regional leaders to hone their CCTA skills comes in the wake of a rash of terrorism around the globe, including the Boston Marathon bombing in 2013 and the San Bernardino, Calif., attack in December 2015.

Other county leaders that spoke on Tuesday, including multiple commissioners, said the three years of exercises and planning will allow the region to identify gaps in protection and get the mistakes out of the way while the consequences are low.

"It's our responsibility as leaders to be well prepared for some of those things that we've not yet experienced," Littleton said.

MONTANA:

WINTER STORM CLOSES SCHOOLS, SNARLS ROADS

February 06, 2017 at 8:30 pm | By SAM WILSON Daily Inter Lake

A severe winter storm battered Northwest Montana over the weekend, dropping up to three feet of snow in some areas, closing schools and creating widespread traffic impacts that included the closure of U.S. 2 and the BNSF Railway tracks south of Glacier National Park.

Early Monday morning, the Montana Department of Transportation shut down all traffic on U.S. 2 between West Glacier and East Glacier after wind-blown snow in the mountain corridor covered the only east-west highway connecting the region to the Rocky Mountain Front.
By late afternoon, officials had reopened the western portion of the snow-bound road to local traffic as far as Essex. But the department's Kalispell division maintenance chief, Justun Juelfs, said through traffic was unlikely to resume until late Tuesday morning, at the earliest.

"We do have rotary blowers on both ends, working from both sides and trying to get two-way traffic again," Juelfs said. But he added, "We're averaging about a mile an hour."

About 16 to 18 miles remained as of Monday afternoon, and Juelfs expected the road crews will have to use the industrial snowblowers on the entire stretch of highway between Essex and Marias Pass.

The BNSF rail line that parallels the highway was shut down Sunday between Whitefish and Shelby. In an email, company spokesman Ross Lane said rail company crews on Monday found eight avalanches that had reached the tracks, but no damage had been detected. A total of 11 snow slides came down along the rail corridor, he said.

Later Monday evening, Lane said the company hoped to open the tracks by 3 p.m. Tuesday, depending on the weather and ability of crews to remove debris from the avalanche paths. Juelfs said BNSF was planning avalanche-mitigation work to clear snow from above the rail line from 9 to 11 a.m. this morning, using concussion charges detonated from a helicopter above the snowpack.

“There will be no MDT staff within that segment just in case any of those avalanches actually make it to the highway,” he said, noting that 11 a.m. would be the earliest normal traffic could resume along the highway.

“That’s assuming the avalanche-mitigation work doesn’t send a large amount of snow down on the road, because that cleanup effort would take a lot longer,” Juelfs added.

Amtrak spokesman Marc Magliari said the rail closure affected passengers on the company’s Empire Builder route, which stretches from Chicago to Seattle and Portland.

“We’re returning a trip to Whitefish this afternoon that was originating in Seattle and Portland, via Spokane, on Saturday,” Magliari said Monday, adding the approximately 90 passengers on the train made it as far as Essex before they were forced to turn back.

He also said a west-bound train from Chicago had to head back to Shelby after traveling as far as Browning.

East of the Continental Divide, storm impacts were even more severe. Highways east of Browning were temporarily shut down or in “severe” status, and the extent of ice and snow prompted the Blackfeet Tribe to declare a state of emergency Monday afternoon.

Blackfeet Tribal Business Council Chairman Harry Barnes’ emergency declaration urged residents to “shelter in place” and prioritize resources to protect individuals with medical conditions and elderly residents.

While the storm’s impacts varied throughout the region, many residents in Northwest Montana woke up Monday morning to ice-covered roads and low visibility as high wind gusts created snow drifts and blowing snow in some areas.

The state's transportation department warned of "extreme driving conditions" throughout the region, including highways in the Columbia Falls area and west of Kalispell.
Juelfs said Monday morning that roads became especially dangerous overnight after temperatures climbed well above freezing Sunday afternoon.

"Yesterday, that turned the roads wet in a lot of areas, but then we had a pretty significant cool-off and that put a lens of ice over the road and that was covered with blowing and drifting snow," he said. "If there isn't an absolute need to travel, I would suggest that people stay home and give our guys an opportunity to get out there, push things back and improve driving conditions."

At Glacier Park International Airport, ice forced the runway to shut down for an hour Sunday night, per Federal Aviation Administration requirements. But airport director Rob Ratkowski said only one flight was delayed during that time, owing mainly to a rare snowstorm in Seattle.
Reporter Sam Wilson can be reached at 758-4407 or by email at swilson@dailyinterlake.com.

NORTH DAKOTA:

Corps to issue DAPL easement as soon as Wednesday afternoon

- CAROLINE GRUESKIN Bismarck Tribune
- 20 hrs ago

The U.S. Army Corps of Engineers has finished its review of the Dakota Access Pipeline and will issue an easement under the Missouri River/Lake Oahe as early as Wednesday afternoon, but the Standing Rock Sioux Tribe has pledged to challenge the decision in court.

The decision comes two weeks after President Donald Trump asked federal agencies to speed up their review of the crude oil pipeline that tribal and environmental activists have protested for months.

In a memo called "Compliance with Presidential Memorandum" and dated Tuesday, a senior Army Civil Works official said he reviewed all the corps study of the pipeline and decided the easement was warranted.

"I have determined that there is no cause for completing any additional environmental analysis," wrote Douglas Lamont, senior official performing the duties of the assistant secretary of the army (Civil Works) in a court filing.

Lamont said his analysis justified reversing an earlier decision made under the Obama administration to explore alternative routes and conduct a full environmental impact statement. A notice terminating the study will be published in the Federal Register, according to filings in the federal court case between the Standing Rock Sioux Tribe and the corps.

Deputy Assistant Army Secretary Paul Cramer notified Congress Tuesday that the corps would grant the easement and waive its normal policy of waiting two weeks after notifying Congress to do so.

The $3.8 billion crude oil pipeline, meant to carry oil from the Bakken to Illinois, has been at a standstill for months due to protests and court challenges from the Standing Rock Sioux Tribe and its Native American and environmentalist allies. The tribe worries the pipeline puts its drinking water and sacred sites at risk. The company has said it is safe.

On Jan. 18, the corps began collecting public comment for a full environmental impact statement regarding the pipeline easement. Shortly after assuming office, Trump signed a memorandum directing the agency to expedite its review.

Lawyers for the company reportedly said in court Monday that construction would be completed in about 60 days and oil could be flowing in about 83. An spokeswoman for pipeline developer Energy Transfer Partners did not respond to an emailed request for comment on Tuesday.

Following the decision, the Standing Rock said the tribe planned to sue on the grounds the EIS was wrongfully terminated.

“The Obama administration correctly found that the Tribe’s treaty rights must be respected and that the easement should not be granted without further review and consideration of alternative crossing locations," Hasselman said. "Trump’s reversal of that decision continues a historic pattern of broken promises to Indian tribes and a violation of treaty rights."

Standing Rock Tribal Chairman Dave Archambault II said, "The Trump administration — yet again — is poised to set a precedent that defies the law and the will of Americans and our allies around the world."

The tribe also plans to hold a march in Washington on March 10 and will "seek to shut the pipeline operations down" if it is constructed, according to a release.

Archambault is again asking supporters to advocate from home and not return to protest in North Dakota, where the state and tribe have been working to clean up the protest camps where several hundred people still live and protest the pipeline.

"Please respect our people and do not come to Standing Rock and instead exercise your First Amendment rights and take this fight to your respective state capitols, to your members of Congress and to Washington, D.C.," he said.

Protest organizers are calling for supporters to protest Wednesday in a "#NoDAPL Last Stand" at their local federal buildings, corps offices and banks financing the pipeline.

"The granting of an easement, without any environmental review or tribal consultation, is not the end of this fight — it is the new beginning," Tom Goldtooth, executive director of the Indigenous Environmental Network, said in a statement. "Expect mass resistance far beyond what Trump has seen so far."

State leaders quickly applauded the Army's decision, heralding it as a win for energy infrastructure and expressing hope it would bring about the end of months-long protests in southern Morton County.

"Our nation needs new energy infrastructure, which means we must have a process to build safe, efficient and environmentally sound projects like pipelines and power lines," Sen. John Hoeven, R-N.D., said in a statement.

Hoeven also said he supports a review of the permitting process for future projects to ensure fairness and opportunity to be heard on all sides.

"For the North Dakota families, workers and tribes who have felt the impact of the Dakota Access Pipeline conflict every day — today’s announcement by the U.S. Army Corps of Engineers brings this issue one step closer to final resolution — and delivers the certainty and clarity I’ve been demanding," Sen. Heidi Heitkamp, D-N.D., said in a statement.

Gov. Doug Burgum called the easement a "step toward the completion of this important infrastructure project" but said his top priority remained public safety and cleanup of the protest camps before a potential spring flood.

“We continue to support the Standing Rock Sioux Tribe’s request that protesters leave the area and go home. We also continue to ask for additional federal law enforcement to assist local and state authorities in peacekeeping and provide a safe environment for all North Dakotans until construction is completed,” Burgum said.

Reach Caroline Grueskin at 701-250-8225 or at caroline.grueskin@bismarcktribune.com

SOUTH DAKOTA:

UTAH:

Avalanche Closes US Highway 89 In Utah Snowstorm

Associated Press, February 7, 2017

SALT LAKE CITY (AP) – An avalanche closed a stretch of U.S. Highway 89 north of Logan on Tuesday as a wet storm packing heavy snow and strong winds shut down two northern Utah ski resorts and triggered a winter storm warning across much of the state.

The National Weather Service issued the storm warning effective until 4 a.m. Wednesday for most of north-central Utah from the Idaho and Wyoming state lines south to U.S. Interstate 70.

Ten inches of snow fell overnight in the Wasatch range north of Interstate 80 at Powder Mountain and 8 inches south of I-80 at Brighton Crest, the service said Tuesday. An 80 mph gust of wind was recorded at Ogden Peak on Monday night.

Another 3 to 6 inches of snow was expected in the upper elevations into early Wednesday, with winds gusting in excess 60 mph above 7,500 feet. "The combination of strong winds and heavy snow will likely create periods of near-zero visibility due to blowing snow," the service said.

The extreme conditions forced the closure Tuesday of Sundance Mountain Resort northeast of Provo and the Powder Mountain Resort northeast of Ogden.

The U.S. Forest Services' Utah Avalanche Center in Salt Lake City issued an avalanche warning effective until 6 a.m. Wednesday for backcountry recreationists in northern Utah and southeastern Idaho, including the Wasatch, western Uinta, Bear River and Wellsville ranges.

U.S. Highway 89 would be closed indefinitely through Logan Canyon after an avalanche crossed a section of road known as the Dugway on Tuesday afternoon, state transportation officials said.

There were no immediate reports of any injuries. Travelers were advised to use I-80/84 through Evanston, Wyoming or Idaho Highway 36 via Preston, Idaho.

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ND heat wave next week could lessen spring flooding in some areas

By April Baumgarten, Fargo Forum on Feb 14, 2017 at 5:54 p.m.

GRAND FORKS, N.D.—February could get a little toasty, but the warmer temperatures could help melt the rest of the snow and, in turn, lessen spring flooding for some areas of the Red River Valley.

After a brief cold snap moved into the region last week, temperatures have been about 20 degrees above normal, according to the National Weather Service. Highs statewide have lingered in the high 30s this week and are expected to climb into the low and mid-40s by the weekend, according to the National Weather Service.

"We have gotten into the 44 to 51 range for this week of February," NWS meteorologist Peter Speicher said of past weather readings. "We've been as warm as 51 back in 2000. It's not totally uncommon, but it's still well above seasonal norms."

An extended outlook from NWS favors above-normal temperatures next week for most of the country except for the West Coast and Alaska.

Records possible

Some cities have a shot of setting record highs next week, and for Grand Forks, Sunday's record high could be the easiest to break. The city's high temperature record for Feb. 19, set last year, was 44 at the Grand Forks International Airport, and Speicher said Sunday's forecast calls for a high of 45 degrees.

"That would be the easiest to break," Speicher said.

No high records have been set in February so far this year.

Above-freezing temperatures could be good news for southern and western parts of North Dakota. The warm weather should speed up snowmelt, helping to remove excess moisture from river basins along watersheds.

Fields in the southern part of the Red River Valley have little snow compared with the Red River of the North starting near Hillsboro.

Paths could open up as the snow melts, taking the excess water to rivers, streams and lakes. Areas should be on the lookout for rising water levels, but the melt taking off that excess water from snowpack slowly could help alleviate flooding in the spring, according to the NWS. Less snow could mean less moisture that could flow over the plains.

"Anything helps," Speicher said. "It definitely helps that we are going back below freezing at night because that slows the flow rate down."

Devils Lake Basin

In the Devils Lake Basin, they could see above-freezing temperatures Wednesday and into the weekend, with some days going above 40 degrees.

A slow melt can't hurt the Devils Lake Basin, said Jeff Frith, manager of the Devils lake Basin Joint Water Resource Board. The region surrounding the 150,000-acre lake likely will see major flooding due to heavy snow and saturated soil from a wet summer and fall. NWS meteorologists predict a 2-foot to 4-foot rise with record runoff and possibly elevations.

There still is a lot of winter left and potential for more snow, though Devils Lake has been lucky since snowfall has been relatively low for moisture accumulation in January and into mid-February, he said.

"A long, slow melt would be just what the doctor ordered, but I think we have way too much winter left to start getting really excited about spring," Frith said.

NWS meteorologists were assessing snowpack and other factors that will play a role in predicting flood outlooks. The agency's second spring flood outlook is due Thursday, though Frith doesn't expect much to change since the last one was released almost three weeks ago.

The Midwest likely will see more precipitation than normal in February, and that trend should continue into April, according to NWS. There is no precipitation forecast for this week, though there is a 50 percent chance of next week being wetter than normal.

Overall, February for almost all of the U.S. should be warmer than normal. Colder-than-normal temperatures could return by the end of February and into early March, NWS meteorologists predict.

A guide to recent events in the Dakota Access pipeline battle

North Dakota says law enforcement response to pipeline protests has cost taxpayers $33 million so far.



Tom Stromme, The Bismarck Tribune
This aerial photo shows a site where the final phase of the Dakota Access Pipeline will take place with boring equipment routing the pipeline underground and across Lake Oahe to connect with the existing pipeline in Emmons County, Feb. 13, 2017, in Cannon Ball, N.D.

By The Associated Press
PUBLISHED: February 14, 2017 at 6:02 pm | UPDATED: February 14, 2017 at 6:31 pm

By Blake Nicholson, *The Associated Press*

BISMARCK, N.D. — The disputed four-state Dakota Access pipeline could be moving oil in as little as a month, though opponents are promising to continue fighting the project. Here's a look at recent developments, and what's to come:

How far along is construction of the Dakota Access pipeline?

Texas-based developer Energy Transfer Partners on Feb. 8 received approval from the Army to lay pipe under a Missouri River reservoir in North Dakota — the last remaining section of the 1,200-mile pipeline that would move North Dakota oil to Illinois. Drilling work at Lake Oahe began immediately. The development was prompted by President Donald Trump, who pushed the Army to advance construction.

ETP spokeswoman Vicki Granado initially said the pipeline would be operational within three months. However, company lawyer David Debold on Monday suggested it could be ready for oil in as little as 30 days. Granado credited the efficiency of the company's equipment and crews, but didn't elaborate.

What's the latest ruling in the court cases involving the Standing Rock and Cheyenne River Sioux?

The Standing Rock and Cheyenne River Sioux say the $3.8 billion pipeline threatens their drinking water, cultural sites and ability to practice their religion, which depends on pure water. They asked U.S. District Judge James Boasberg to temporarily halt construction at Lake Oahe until their legal challenges are resolved.

Boasberg on Monday refused, though he scheduled a Feb. 27 hearing on a request by Cheyenne River to force the Army to withdraw its permission for the lake crossing.

Tom Stromme, The Bismarck Tribune via AP, file

A section of the Dakota Access Pipeline under construction near the town of St. Anthony in Morton County, N.D., on June 29, 2016.

A Standing Rock attorney plans to ask Boasberg to rule on the tribe's claims before pipeline operations begin.

The Oglala and Yankton Sioux tribes in South Dakota have filed similar legal challenges, the Yankton tribe in September and the Oglala Sioux on Saturday.

In a separate lawsuit, pipeline opponents suing police for allegedly using excessive force are appealing a federal judge's recent ruling allowing authorities to continue using tactics such as tear gas and rubber bullets for crowd dispersal.

Are there still people protesting construction of the pipeline?

Law enforcement records show that such tactics haven't been used since Jan. 19, at a blockaded highway bridge in the area of a protest encampment on federal land in southern North Dakota.

The camp has at times housed thousands of protesters who have often clashed with police. It's now home to only a few hundred people and is being cleaned up in advance of spring flooding and a Feb. 22 closing date set by the Army Corps of Engineers.

Many protesters don't plan to leave the area. Cheyenne River chairman Harold Frazier says that tribe is leasing about 25 acres on the Standing Rock Reservation for camps. American Indian activist Chase Iron Eyes also is encouraging a continued presence in the area.

Is the bridge that was damaged by fire open to traffic?

The bridge on U.S. 1806 has been closed since it was damaged by fires Oct. 28. Officials have been working in recent weeks to reopen it in the interest of easing tensions.

Guardrail repairs were completed Friday and temporary asphalt patching was finished Monday, at a total cost of about $10,000, according to Department of Transportation spokeswoman Jamie Olson. However, it won't be reopened until authorities determine tensions have eased enough to warrant it, said Morton County sheriff's spokesman Rob Keller.

The Transportation Department on Monday did reopen 8 miles of an 18-mile closed stretch of the highway, "allowing farmers, ranchers, people who have business down there to have more freedom of travel," Keller said.

What's the price tag for law enforcement related to the Dakota Access pipeline protest?

Law enforcement continues to maintain a heavy presence in the area despite the fading of protests.

New figures from the state show the law enforcement response over the past half-year has involved officers from 10 states, resulted in 705 arrests and cost taxpayers $33 million — $25 million for officer pay, $3.6 million for travel and lodging, and $4.3 million for equipment and supplies.

The data show that 92 percent of the 660 people who have been arrested are not from North Dakota.

State officials warn of river contamination

- LAUREN DONOVAN Bismarck Tribune

Expected near-record temperatures and rapid snow melt are increasing the risk of high water by week's end at the Dakota Access Pipeline protest camps — and state officials are worried time is running out to prevent contamination of the rivers there.

U.S. Army Corps of Engineers Maj. French Pope toured the Oceti Sakowin main protest camp Tuesday to assess the situation and determine what additional resources will be needed to complete the cleanup, started by the Standing Rock Sioux Tribe, camp residents and volunteers on Jan. 31.

The camp is on corps land and remains occupied by 300 to 400 people in yurts, teepees, fortified tents and other structures. Much of the camp area has been cleared out, with thousands of tons of material hauled to the landfill in the past two weeks.

Gov. Doug Burgum said the corps' assessment is crucial to accelerating the cleanup before garbage, vehicles, structures and human waste wash into the Cannonball and Missouri rivers.

"We cannot afford to wait any longer," Burgum said.

The National Weather Service reports that people on the Cannonball, Knife and Heart rivers' watersheds should watch for rising water over the next several days.

Dave Glatt, state Department of Health environmental chief, said cleanup efforts will have to be doubled and any protesters at the camp who refuse to move are potentially worsening a bad situation for people who depend on the water.

"As long as we have frozen ground and melting snow, the water is going to continue to rise in the camps," Glatt said.

The weather service and the U.S. Geological Survey will install a new stream gauge on the Cannonball River near the camp Wednesday to closely monitor river heights in the area.

"That area, by nature, is prone to flooding. The Cannonball River and the Cantapeta Creek, along with the Missouri River, all come together in the area of the protest camp, which is sitting down in the floodplain," said state engineer Garland Eberle with the State Water Commission. "We've historically seen ice jamming which causes a backup of flood water. If you're really trying to protect the river, it is imperative we get that stuff cleaned up before we see a flood."

(Reach Lauren Donovan at 701-220-5511 or lauren@westriv.com.)

SOUTH DAKOTA:

UTAH:

Red Cross hosts relief event for Box Elder residents affected by flooding

TUESDAY , FEBRUARY 14, 2017 - 6:58 PM

JESSICA KOKESH, Standard-Examiner Staff

BRIGHAM CITY — Box Elder County residents who have been affected by flooding will have an opportunity to discuss recovery plans with experts next week.

The Northern Utah Chapter of the American Red Cross is partnering with other local disaster assistance organizations to host a multi-agency resource center from 7:30 to 9 p.m. on Wednesday, Feb. 22, at the Aldersgate United Methodist Church, 235 East 850 South, in Brigham City.

Trained caseworkers will be available to help residents create recovery plans, navigate paperwork and locate assistance for specific needs caused by the disaster, according to a press release from the Red Cross.

Representatives from several government, nonprofit and religiously affiliated disaster relief organizations will also be on hand.

Tom Aston, Red Cross operations director, said few people in Box Elder County have requested aid from the Red Cross or county organizations, but he anticipates an increase in need as more storm systems move through the area later in the week.

Aston advised residents they should bring some form of identification that proves they live at the residence they're claiming assistance for.

WYOMING:

North Wyoming ice jam breaks, flood worries moves downstream

- BOB MOEN Associated Press
- Feb 14, 2017 Updated 12 hrs ago

CHEYENNE — Evacuated residents of a northern Wyoming community alongside the Big Horn River were allowed back home Tuesday after an ice jam that caused flooding broke up overnight, but flooding concerns immediately shifted to communities downstream.

The flooding left huge slabs of ice littered around the streets of the small city of Worland that had to be removed by heavy equipment operators, said Washakie County government spokeswoman Kami Neighbors.

Officials were assessing damage to homes and businesses.

They were also monitoring the ice jam that moved about 10 miles downstream, said National Weather Service meteorologist Trevor LaVoie.

A rapid melt of low elevation snowpack that sent water into a river still choked with ice caused the river to rise about 5 feet above its flood stage last Saturday.

Next in line for possible flooding were the small Big Horn County towns of Manderson and Greybull.

About 40 Wyoming National Guard members were being moved from Worland to Manderson, said Kelly Ruiz, spokeswoman with the Wyoming Homeland Security Office.

Two teams of firefighters who normally fight forest fires in the summer are in Greybull, Ruiz said.

“They are sandbagging and preparing for the rising water,” she said.

Residents in Big Horn County have been warned by local authorities to be prepared to leave their homes if the river tops its banks, Ruiz said.

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DES to request additional $7 million for DAPL response

- NICK SMITH Bismarck Tribune

North Dakota Emergency Commission members began the month of November by approving state funds for addressing law enforcement costs relating to Dakota Access Pipeline protests and it will end the month on the same note.

Commission members, on Wednesday, will be facing a request to increase a line of credit by $7 million. If approved, that would bring the total amount of money available to the North Dakota Department of Emergency Services to $17 million.

DES spokeswoman Cecily Fong said, as of this week, more than $11.8 million has been spent to address the ongoing protest movement in southern Morton County.

Opponents of the Dakota Access Pipeline have argued that, if the pipeline goes under the Missouri River less than a mile from the Standing Rock Sioux Tribe's reservation boundary as planned, it could endanger the water supply for millions of people.

Demonstrations in the region have led to more than 500 arrests since August and required the assistance of law enforcement throughout North Dakota and surrounding states, leading to the $17 million in requests.

Of the money spent so far, $9.5 million has been in personnel costs to agencies, $1.58 million in equipment and supplies and the remaining $737,000 in personnel support.

"As other agencies incur costs, they keep us appraised," DES spokeswoman Cecily Fong said.

Six agencies are requesting the funds through the DES to offset costs related to protests of the Dakota Access Pipeline. Each exceeds a $50,000 threshold and will require Budget Section approval. The Budget Section meets Dec. 7, following the end of a three-day organizational session of the Legislature.

"I don't think it's going to be the last numbers we see unless something drastically changes," said Emergency Commission member Rep. Al Carlson, R-Fargo. "It's one of those things you have to prioritize, and we'll have to do it."

Carlson once again said the federal government should be ponying up dollars and resources to offset state costs incurred from a situation that involves federal land.

"It's a little disturbing, the lack of federal support," said Carlson, who expects the federal response to be more forthcoming after President-elect Donald Trump takes office in January.

"Our law enforcement is doing a terrific job," Emergency Commission member Sen. Rich Wardner, R-Dickinson, said.

The state's Disaster Relief Fund should be an option for offsetting the costs, according to Wardner.

"This is a disaster," he said of the situation.

Regardless of the cost, Wardner said the pressure on the federal government to help cover costs will continue.

Agency needs

The largest request is from the North Dakota Highway Patrol, for $3.9 million in additional spending authority for its operations in responding to protesters. The authority would run through March 31 and includes overtime pay, meals, lodging, mileage and supplies.

Funding requested by the North Dakota Department of Health totals more than $2.5 million. This would offset costs of medical response and food services for law enforcement as well as first responders.

Nearly half of the $200,500 for the North Dakota Game and Fish Department is for supplies, overtime pay as well as costs relating to use of planes and boats at the scene of protests.

North Dakota Department of Transportation dollars total $162,350 in its request. Of the request, $30,025 is related to damages to infrastructure, including a bridge, roadways and guardrails.

(Reach Nick Smith at 701-250-8255 or 701-223-8482 or at nick.smith@bismarcktribune.com.)

Flood Protection System Gives Grand Forks Security, But Expert Says Flooding Is A Possibility

By John Hageman

Forum of Fargo-Moorhead (ND), November 23, 2016

GRAND FORKS — Steve Gander has lived through a handful of major floods in the Grand Forks area, including the record 1997 Red River flood that decimated the two communities bordering the sleepy river.

But two decades later, Gander isn't concerned about another similar disaster.

"I probably have about as much worry about the repeat, massive flood through our community as I (worry about) a piano falling on my head," the incoming mayor of East Grand Forks said.

The 1997 flood, often referred to simply as "The Flood" by locals, was disastrous enough that some believed Grand Forks and East Grand Forks would simply die off, Gander said. But it also resulted in the construction of a massive flood protection project that gives people like Gander confidence the two cities could fight off another major flood.

So far, they've been right. Historically high river crests in recent years have been quelled without the same efforts of past flood fights, when residents rallied to fill sandbags to block the rising waters from reaching their homes.

But could Grand Forks be flooded again? Greg Gust, a warning coordination meteorologist with the National Weather Service in Grand Forks, said it's "physically possible" there would be a large enough

flood to overwhelm the protection system in place today. That would depend on a number of factors, including the timing of crests from the Red Lake and the Red rivers, which meet just south of DeMers Avenue, as well as the amount of local rainfall, he said.

"Those things are not way outside the line of reason," Gust said.

Officials from the cities of Grand Forks and East Grand Forks, however, appear comfortable with the level of protection the city now has.

Mark Walker, Grand Forks' assistant city engineer, said the city's flood protection system was designed to handle a repeat of the 1997 flood. It also accounts for some "uncertainty," waves and ice blockage that could come into play, he said.

"Could it handle something greater? Yeah, it could," Walker said. "But the higher you get, the more concerning it would be that you're getting closer to the tops of the levees."

The top of the Grand Forks levee is almost 6 feet above the record river crest of about 54 feet set April 22, 1997, and the the top of the floodwalls are almost 9 feet above that level. A Grand Forks fact sheet said the city could successfully fight a 500-year flood by adding clay on the top of the levees.

Ken Vein, who was Grand Forks' engineer and public works director during the flood and who now is a Grand Forks City Council member, said there's a "night-and-day" difference between the protection in place today and before the flood. Residents today are "far less concerned" about the possibility of a flood than they were in the past, he said.

"We've had some floods of significance where people haven't even realized it's going on," Vein said.

'Built to flood'

On April 18, 1997, Grand Forks ordered the evacuation of the Lincoln Park neighborhood as "boils" appeared in the levee. Riverside and Central Park neighborhoods also were evacuated that day, as was the Point in East Grand Forks after the levee there was breached.

The Red River continued to rise for a few days, ultimately cresting at a record 54.35 feet, 4 feet higher than the previous record reached 100 years before. News reports pegged the damage to Grand Forks and East Grand Forks at about $2 billion.

But the seeds of that disaster were planted months before.

"It generally takes more than one year to produce a really big flood," Gust said. "It's usually the year before that has set the stage by having so much excess water in the system."

A recent flood plan from the Federal Emergency Management Agency states that the Red River Valley has the greatest potential for a catastrophic flooding when a number of factors are in place: greater than normal liquid precipitation in September and October, deep frost penetration before the first major snow, greater than normal snowfall in the winter, below normal temperatures in March and early April followed by rapid warming, and greater than normal liquid precipitation during the spring snowmelt.

Between September 1996 and April 1997, more than 200 percent of normal snowfall was observed over most of North Dakota, western Minnesota and northeastern South Dakota, according to the National Oceanic and Atmospheric Administration, which also described an "abnormal thaw" as a contributing factor to the flood.

But there are some inherent characteristics of the Red River itself that leads to consistent flooding. It's one of the few rivers in the U.S. that flows directly north, according to the U.S. Geological Survey. That, in junction with the basin's flatness and the shallow river channel, means the timing of the spring thaw and snowmelt can "greatly aggravate flooding," the USGS said.

"Snow in the headwaters of the Red River basin begins to melt first, when areas downstream remain largely frozen," a USGS report said. "This melt pattern can cause ice jams to form, and substantial backwater can occur as flow moves north toward the ice jams and frozen river-channel ice."

Recent history has shown the river to be especially flood-prone. Six of the 10 highest river crests at Grand Forks occurred between 1996 and 2011, according to the National Weather Service.

"This valley is built to flood," Gust said.

The penchant for springtime disasters contrasts with the natural beauty the river offers. Gander called it “a little piece of wilderness running through your town” that provides its residents with plenty of recreational opportunities.

“It was almost like an old friendly dog that sat at your feet, but then one day it stood up and bit you,” he said. “But many of us said, ‘We love this community, we love this area, and if we sort of tame this river, we can turn it back into a friend, an asset.’”

‘No concern’

Pat Grinde lives just down the street from a grassy hillside that separates her neighborhood from the Red River, near Riverside Park on Grand Forks’ north side.

It was two decades ago that the Red River flood left an inch of water in the main floor of her home. But now she says she never worries about the possibility of another flood. She pointed to the system of levees, floodwalls and water pumps protecting her neighborhood and the rest of the city from such a disaster.

“I have absolutely no concern about the river ever topping the system that they’ve got here in Grand Forks,” she said.

Some pieces of that flood protection system stay largely out of the public eye. In a storage garage near the Grand Forks Public Works facility, stacks of aluminum beams that make up temporary floodwalls at road crossings sit ready to be erected.

Across town, a cavernous well sits under the flood pumping station on North Third Street. In the event of a flood, that facility pumps excess water out of the city’s stormwater system over the levee.

Adjacent to that station sits a grassy levee connected to a concrete floodwall. On the east side of that barrier, runners and bikers often can be spotted on the Greenway. On the west side, a row of homes sit across the street, the wall blocking their view of the Red River.

The $409 million Army Corps of Engineers project, almost half of which was paid for by the federal government, includes miles of levees and floodwalls in Grand Forks and East Grand Forks, along with almost two dozen pump stations and a diversion channel in each city, according to officials from both sides of the river.

A city of Grand Forks fact sheet states the levees are 60 feet above the river gauge—the theoretical bottom of the river—and the walls are 3 feet higher than that. Jason Stordahl, East Grand Forks’ public works director, said they are protected to 60 feet.

Gander recalled the flood of 1979, when the water reached 48.8 feet, as a time that “heroic efforts” helped save the town. Thirty years later, the river crested at about the same level, but Gander remembers going home and sleeping “like a baby” instead of spending long hours hauling sandbags.

“We were good at fighting floods,” Vein said. “I think after 20 years, people have kind of gotten used to the new normal.”

Historic crests, Red River at Grand Forks/East Grand Forks

1. 54.35 feet on April 22, 1997
2. 50.20 feet on April 10, 1897
3. 49.86 feet on April 14, 2011
4. 49.33 feet on April 1, 2009
5. 48.81 feet on April 26, 1979
6. 48 feet on April 18, 1882
7. 47.93 feet on April 6, 2006
8. 46.09 feet on March 20, 2010
9. 45.93 feet on April 21, 1996
10. 45.73 feet on April 11, 1978

US: HOEVEN MARKS DEDICATION OF FARGO FLOODWALL, WORKED TO SECURE FUNDING

Project Updates // November 24, 2016

Senator John Hoeven joined local officials in Fargo to dedicate the city's new floodwall, the first complete portion of the federal flood protection project for the region.

The US$40 million project includes the floodwall and road realignments and was paid for with federal, state and local funding. The floodwall was added as a modification to the Army Corps of Engineers' original flood project and allows greater river flows through the city, up to 35ft, removes the need for temporary clay levees along 2nd Street in Fargo and substantially reduces the need for upstream staging during major flood events.

"Fargo's new floodwall is an important milestone in our fight against threat of flooding in the Red River Valley," Hoeven said. "This infrastructure not only removes the need for costly and temporary levees in Fargo, which have been installed five times since 2009, it also helps address the concerns of the surrounding areas. We continue working with all groups, including upstream groups and the State of Minnesota, to find these kinds of solutions and advance permanent, comprehensive flood protection for the whole region."

Hoeven continues his efforts to secure comprehensive flood protection for the Red River Valley. Last month, the senator arranged a meeting in DC between the mayors of Fargo and Moorhead, Tim Mahoney and Del Rae Williams, and federal officials, including Office of Management and Budget (OMB) Director Shaun Donovan and Assistant Secretary of the Army for Civil Works Jo-Ellen Darcy, who oversees the Corps. Hoeven also hosted Lt. Gen. Todd Semonite, the new chief of the Corps, in Fargo this August to press for continued support for permanent flood protection.

At the same time, Hoeven is working as a member of the Energy and Water Appropriations Committee to ensure the Corps has the funding it needs to sustain the construction of the project. Hoeven wrote and secured language in the last December's funding bill authorizing and funding new construction activity, which was needed to advance the project. The project was subsequently selected for a construction start in the Corps' Fiscal Year 2016 work plan and the Project Partnership.

SOUTH DAKOTA:

Lake Oahe salmon fishery still rebuilding after flood

- By Nick Lowrey Nick.lowrey@capjournal.com
- Updated 16 hrs ago

With a little help from their friends, the South Dakota Game, Fish and Parks Department was able to secure enough salmon eggs to have a good hope of meeting the 2017 stocking goal.

The department hopes to release around 300,000 salmon into Lake Oahe next year, said Bob Hanten the fisheries biologist that oversees coldwater fish in the lake. That's about 254,000 more salmon than were released this year.

"We're just trying to bump up our salmon numbers," Hanten said.

Lake Oahe's salmon population has had a rough four years. In 2011 the massive flood flushed thousands of the fish through Oahe Dam and further down the Missouri River. Nebraska set its Chinook salmon state record several times that year. Usually, there are no salmon that far south.

After the flood, Lake Oahe was very low on bait fish, which also were flushed through the dam. So, when salmon were being stocked in 2012 and 2013, they became prime targets for large predator fish such as pike, bass and walleye. That, at least, is what Hanten said he believes happened. There's no way to know for sure.

Bait fish numbers have rebounded since the flood. Lake herring in particular have filled a void left by drastically reduced numbers of rainbow smelt. More baitfish likely means young salmon have a better chance at survival and older salmon have been much healthier and bigger for the last two years.

Still, Hanten said, the overall number of salmon is low. Through a combination of the Whitlock Bay Salmon Spawning Station and electrofishing in 2015, GFP was able to collect around 473,000 eggs. That was far short of the state's goal of around 1 million eggs.

Egg quality was poor too. By the time spring of 2016 rolled around there were just 46,000 salmon to stock.

This fall, GFP was only able to collect 388,265 eggs on it's own. Hanten said. Quality of the eggs looked better, Hanten said. Even in a typical year about one-third of salmon eggs will actually develop into juvenile fish, however.

Luckily both North Dakota and Montana saw solid salmon spawn this year, Hanten said. Those two states and South Dakota work together on their salmon fisheries and North Dakota was able to give South Dakota 351,000 fertilized eggs. Hanten said GFP was able to secure another 125,000 eyed eggs — eggs in which eyes can be see developing — as well this year. About 95 percent of eyed eggs typically develop into juvenile salmon.

"We're in really good shape," Hanten said.

Salmon anglers last summer also reported catching small, "shaker" or young salmon, a development that points to there being more salmon in Lake Oahe, Hanten said.

"That provides us with a little more optimism," he said.

Still, the Lake Oahe salmon fishery has a ways to go before it's back to its post flood condition, Hanten said.

"We're still in a rebuilding phase for the next few years," he said.

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FEMA-RELATED STORIES:

Weather Apps To Download And Store Up For Winter

By Kit Eaton

New York Times, November 23, 2016

LIKE it or not, winter is coming. Apart from layering up, you can turn to your phone to help you brave the rain, wind or snow ahead.

Weather apps are abundant in mobile app stores, and my new favorite is Fire + Rain. Unlike many other weather apps, it keeps weather data simple.

Built on information from the Weather Network, the app's display is streamlined and easy to understand. The screen's color corresponds with the forecast, and the temperature is displayed in large type. Alongside this are a small icon and a simple phrase describing the weather, like "light rain" or "cloudy with showers."

You get, at a glance, everything you need to know about the coming weather where you are. Swipe down the screen to see hourly and daily forecasts; tap to swap between a 36-hour detailed forecast and a two-week forecast. If you see the words "heavy snow" in tomorrow morning's forecast, you'll know to make the necessary preparations tonight. Fire + Rain is free on iOS.

For people who like detailed weather forecasts, there is RainAware. This app belongs to the new breed of weather apps that try to deliver extremely accurate weather data based on the time and your precise location. The app uses GPS to detect where you are, and then it pulls forecast data from its system, including detailed radar scans.

Instead of the typical approximation other weather apps might offer, like "50 percent chance of storms," RainAware has concrete alerts, like "It's going to rain in 30 minutes." The app's radar maps are also neat: They show how rain clouds are moving near you and predict where they will go next, so you can see how the weather is going to change.

RainAware has a lot of features, including a weather clock showing the forecast in 15-minute increments, so it may take some getting used to. But it's an excellent option. It costs $5 on iOS and $4 on Android.

Another app, Storm Radar from Weather Underground, is a source that television weather forecasters consult before they step in front of the camera. This weather app has high-resolution radar maps and storm-tracking algorithms to figure out if you are in the path of a nearby weather event. It even has lightning alerts for a 100-mile radius around your location.

Data on variables like dew point and humidity can be viewed as colored patterns on a map, or as graphs or charts. You can also get highly localized weather alerts — for example, the app told me there were two "coastal event" alerts as high winds and high tides threatened the seafront zone near my home. If you prefer a text-based forecast, Storm Radar offers that too.

There is a lot to discover in this app, and if you plan to use it you may need to spend some time on Google to get a full understanding of what all the data means. But it is free on iOS, and its interface is both attractive and easy to interact with.

MeteoEarth, another scientific weather forecast app, shows animated maps that contain a wealth of forecasting information for your location. The maps can show data on rainfall, wind, temperature and pressure, and can even track tropical storms. The app also offers access to live weather webcams around the world that give a sense of the conditions in a particular location. MeteoEarth takes some figuring out, but its slick graphical interface is satisfying to use. It's free on iOS and Android.

Lastly, it may be worth keeping the free FEMA app (iOS, Android) on your phone in case your home is subjected to the worst of the winter weather. In addition to an alert system from the National Weather Service, the app offers guidance about what to do before, during and after a disaster.

The naturalist Sir David Attenborough has been making television programs about the wonders of life for 60 years, and now over 1,000 clips from his body of work are available in a new app:

Attenborough's Story of Life (free on iOS, Android). Browse it with your children and enjoy learning about nature from the soothing voice of Sir David himself.

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Governor calls for federal help in eviction of camped protesters Bismarck Tribune

A Dakota Pipeline's Last Stand Washington Post. Also appeared in the Denver Post.

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MONTANA:

NORTH DAKOTA:

Governor calls for federal help in eviction of camped protesters

- Tribune staff
- Nov 26, 2016

In the wake of the U.S. Army Corps of Engineers setting a Dec. 5 deadline to pipeline protesters to leave its northern-most overflow camp, which is estimated to have at least 3,000 people, Gov. Jack Dalrymple said Saturday the federal government must take the lead in any such eviction.

However, Standing Rock Sioux Tribal Chairman Dave Archambault said he does not expect the inhabitants of the protest camp will be forcibly removed.

"The corps wants to reduce their liability," he said. "If they want public safety, the best thing for the federal government to do is to deny the easement."

Corps officials announced late Friday they will close to public use and access corps-managed federal property north of the Cannonball River. The corps' Omaha District Commander, Col. John Henderson, notified Archambault on Friday that anyone found to be on corps property north of the Cannonball River after Dec. 5 will be considered trespassing and may be subject to prosecution.

Dallas Goldtooth, an organizer with the Indigenous Environmental Network, urged opponents of the Dakota Access Pipeline to stand strong in defending territorial treaty rights.

"This is a disgusting continuation of 500 years of colonialization," he said. "That is the state of affairs that we are in."

Sen. John Hoeven, R-N.D., was among the members of the state's congressional delegation in support of the action.

"In light of violent protest activity, the corps has taken a necessary step to protect public safety. Now, the protesters should respect the law and peacefully leave the protest area. The well-being and property of ranchers, farmers and everyone else living in the region should not be threatened by protesters who are willing to commit acts of violence," Hoeven said in a statement released Saturday.

While Dalrymple said he supports the corps' decision to close the property, he stressed the federal government must take the lead in enforcing the closure. The governor said the property should be closed due to ongoing

public safety concerns involving unlawful protests and because of the serious health risk to those camping in subzero weather. A major weather storm is expected to hit the area Sunday night and into Monday, according to the National Weather Service in Bismarck.

“Our state and local law enforcement agencies continue to do all they can to keep private property and public infrastructure free from unpermitted protest activities, and it's past time that the federal government provides the law enforcement resources needed to support public safety and to enforce their own order to vacate,” Dalrymple said. “For more than 100 days now, the federal government has allowed protesters to illegally entrench themselves on corps land and it is the federal government’s responsibility to lead the camp’s peaceful closure.”

North Dakota has spent more than $10 million to provide enhanced law enforcement security since pipeline protests began in August.

Dalrymple also continues to press the Obama administration to make a decision on the Dakota Access Pipeline’s easement for a river crossing. The governor said the additional delay does nothing but prolong and intensify the public safety issues imposed on Morton County and the state.

Sen. Heidi Heitkamp, D-N.D., also stressed that the Obama administration must bring the situation to a close.

"That also means the administration must make a decision on the easement under Lake Oahe. For too long, we have waited in limbo as the decision is put off. This issue needs to be put to rest once and for all for the sake of the safety of our communities," she said in a statement released Saturday.

A Dakota Pipeline’s Last Stand

By Steven Mufson

Washington Post, November 25, 2016

In the Dakota language, the word “oahe” signifies “a place to stand on.”

And that’s what the Standing Rock Sioux and its allies in the environmental and activist movements say they are doing: using Lake Oahe in North Dakota as a place to take a stand by setting up camps and blocking roads in order to block the controversial $3.7 billion Dakota Access pipeline.

Their confrontations with police — who have responded with water cannons, pepper spray and rubber bullets — have steered attention to the 1,170-mile long oil pipeline project and its owner, Energy Transfer Partners. But the real source of Native Americans’ grievance stretches back more than a century, to the original government incursions on their tribal lands. And those earlier disputes over their rights to the land, like the one over the Dakota Access pipeline, pitted the tribes against a persistent force, the Army Corps of Engineers.

The federal government has been taking land from Lakota and Dakota people for 150 years, tribal leaders say, from the seizure of land in the Black Hills of South Dakota after the discovery of gold in the 1870s to the construction of dams in the Missouri River that flooded villages, timber land and farmland in the Dakotas in the 1950s.

Through the ages, the warring tribes of the Northern Plains lived, hunted and fought across a sprawling expanse of land. Many were migratory, moving with the seasons. Each treaty with the U.S. government, most notably the 1851 and 1868 treaties of Fort Laramie, restricted their movement further though left them large areas west of the Missouri River and recognized them as sovereign nations.

Much of this was contested, leading to Gen. George A. Custer’s ill-fated military campaign to protect miners. Later land was taken to make way for homesteading.

In 1889, Congress passed legislation that created the modern reservation system, pushing the Sioux, also known as Lakota, into smaller areas. And later in the 1900s a series of dams across the Missouri River rolled back the scope of those reservations too.

“This government honors international treaties like they are the Holy Grail, but within our own homeland they find ways to break them,” said Standing Rock Sioux chairman David Archambault, who under the treaties and American law is the head of a domestic sovereign nation.

Lake Oahe illustrates his point. The lake, the site of the current dispute, exists because of a dam project built by the Army Corps of Engineers, the same agency that has been weighing whether and where the Dakota Access pipeline could be built.

Empowered by the flood control act of 1944, the Army Corps erected the Oahe Dam in central South Dakota, forming a reservoir that extends about 250 miles upstream to within a short distance of Bismarck, N.D. In 1962, President John F. Kennedy dedicated the dam, hailing it as a symbol of a free society tapping its natural resources.

But for the Lakota tribes, the dam didn’t exploit natural resources. It buried them.

The project inundated and destroyed the Standing Rock Sioux tribe’s “most fertile bottom lands,” home to medicinal plants, wildlife and timber, said Everett J. Iron Eyes, Sr., former water and natural resource director for the Standing Rock Sioux tribe and now a water consultant. In the process, he said, the Army Corps acquired 56,000 acres of land and destroyed 90 percent of the tribe’s timber land.

The Army Corps simply condemned the land and paid little to no compensation. The Standing Rock Sioux sued and won compensation — $90.5 million in a trust fund from which it can draw only from the interest on the account to spend on social welfare and economic development.

Iron Eyes said that the government also changed the tribe’s water boundaries. Originally, according to the act of Congress in 1889, the tribe’s territorial boundary stopped at the low water level mark on the east bank, giving it ownership of the water and river bed. After building the dam, the Army Corps seized strips of land on either side of the river. Those strips are the areas in dispute now, giving the Army Corps a central role in letting Energy Transfer Partners complete the line, or not.

“When they dammed the Missouri River they did it specifically and purposely so that it would flood the Standing Rock reservation,” said Harry Sachse, a partner at the Washingtonfirm of Sonosky, Chambers, Sachse, Endreson & Perry and who has represented other Native American tribes. “So the Standing Rock tribe still feels very abused. The government drowned all of the towns the tribe built along the river.”

Under the Fort Laramie treaties, the Standing Rock Sioux’s northern border was recognized as the Heart River, which winds up to Bismarck, about 25 miles north of the Cannonball River that was declared the northern border by an act of Congress in 1889. The pipeline battles of the past three months have taken place near the Cannonball.

“They violated every treaty ever made with the tribe,” Iron Eyes said.

“It’s important not to lose sight of the greater sovereignty issue,” said Jennifer Baker, a senior associate at the law firm Fredericks Peebles & Morgan who has represented tribes. “That’s what the DAPL fight and all the fights against these ticking environmental bombs really boil down to. To overlook that would be to not do justice to such an important cause.”

The Standing Rock Sioux are not alone in harboring old grievances, many involving the Army Corps and its dams, Sachse says.

The Kinzua dam on the Alleghany River built in the 1960s forced more than 600 Seneca families to leave their homes and submerged 10,000 acres of ancestral land. Indians say the project, built by the Army Corps, broke a 1794 treaty signed by President George Washington.

The Colville tribe sued the government over the Grand Cooley Dam, which blocked salmon fishing sites the tribe had used for centuries. The tribe was eventually awarded $52 million and a percentage of the dam’s electricity that turned out to be worth about $25 million a year, said Sachse, who represented the Colville tribe.

In Minnesota earlier this year, the Prairie Island Indian Community bought 112 acres of agricultural land near St. Paul to secure a future home. On its reservation, about 30 miles southeast of the Twin Cities, the tribe has wrestled with flooding from the Mississippi and Vermillion Rivers. The reservation has

approximately 3,100 acres of land held in trust by the U.S. government. Located in the 100-year floodplain, the land is unusable for development.

In addition, an increase in rail traffic, including trains carrying crude oil, often blocks the only access point to Prairie Island, according to the tribe's Web site.

Native American disputes are not just history; they are still alive.

In 1980, the Supreme Court affirmed a Court of Claims ruling and awarded $106 million to the Sioux tribes for the illegal seizure of the Black Hills. "A more ripe and rank case of dishonorable dealings will never, in all probability, be found in our history," the court said. But the Sioux rejected the money and continue to seek the return of the land.

Will the Dakota Access pipeline take a place in a bitter history? The pipeline would carry as much as 570,000 barrels a day of shale oil from North Dakota's Bakken field to the pipeline networks in Patoka, Ill. Along the way it crosses more than 200 waterways, including the Missouri upstream from the Standing Rock Sioux's facilities for siphoning off drinking water.

The company did not advance its cause when its chief executive Kelcy Warren said in an interview on PBS that he wished the tribe had consulted with Energy Transfer Partners earlier. Nor did the North Dakota Public Service Commission chair Julie Fedorchak, who told National Public Radio that the Standing Rock Sioux failed to take part in the 11-month permit process or in 30 hours of open hearings, and that their efforts to reach chairman Archambault were futile.

Archambault said in an interview with The Post that the tribal council had in fact met with Energy Transfer executives at the tribal headquarters in September 2014 and that the tribal leaders had clearly stated their opposition to the pipeline.

The tribe had passed a resolution in 2012 opposing new pipelines and declared a moratorium on hydraulic fracturing, or fracking within its borders "because we see the destruction done to mother earth," Archambault added. Shale oil produced by fracking in western North Dakota is the main source of crude for the Dakota Access pipeline project.

Last week the tribe posted on its Facebook page a recording of the 2014 meeting, in which Archambault warned the pipeline company representatives that the tribe still recognizes the Fort Laramie borders, and therefore the pipeline that the company considered 1,500 feet north of the reservation was, in fact, part of the tribe's territory.

"So just that you know this is something that the tribe is not supporting," he said on the recording.

Archambault, in his interview with The Post this year, said Energy Transfer Partners and the PUC members fundamentally didn't understand the issue around the pipeline.

"They would consider us a stakeholder, but we're a nation," he said. "We would hope and pray they would understand that and consider a more formal government to government relationshp with the tribe rather than treat us as a stakeholder."

Energy Transfer Partners, which on Monday announced a merger with Sunoco in an exchange of shares, had once hoped to keep the Dakota Access pipeline out of the limelight. It has argued that this pipeline isn't unusual. A natural gas pipeline lies along a similar route. And railroads pose similar hazards. This pipeline, the company says, is just one of hundreds of pipelines that carry crude oil, natural gas and refined petroleum products across the country.

The Standing Rock Sioux have raised concerns about a possible pipeline leak in the Missouri River; other pipelines have leaked into rivers over the past five years, including some relatively new ones. Warren, the chief executive, says the pipeline's foes need not worry about leaks or accidents. The pipeline, he says, is made of extra thick steel and will run 90 to 115 feet below the bottom of Lake Oahe.

But the Native American opposition to the pipeline project runs much deeper than that.

SOUTH DAKOTA:

Fall Fieldwork In South Dakota Not Impacted By First Storm

Associated Press, November 25, 2016

SIOUX FALLS, S.D. (AP) — South Dakota farmers had completed most of their fall fieldwork before the state saw its first winter storm of the season, but some corn and sunflowers remain unharvested.

The Agriculture Department in its latest weekly crop report says 3 percent of both the corn and sunflower crops remain in the field.

The report says about half of the state's winter wheat crop is in good to excellent condition. Only 9 percent is rated poor or very poor.

Pasture and range conditions statewide are rated 35 percent good to excellent. Stock water supplies are 68 percent adequate to surplus.

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UTAH:

Utah Under Winter Storm Warming Through Tuesday

Associated Press, November 27, 2016

SALT LAKE CITY (AP) – The National Weather Service says a winter storm warning will be in effect until Tuesday morning.

The warning applies to the Wasatch Mountains, the Western Uinta Mountains, Book Cliffs and Wasatch Plateau, along with the central and southern mountains of Utah.

The NWS expects 18 to 30 inches of snow or more along the northern part of the state.

The service also expects a stronger storm to arrive Monday through Monday night.

Drivers should expect poor conditions, especially on Monday into early Tuesday morning.

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Small 3.2 Magnitude Earthquake Felt Around Salt Lake Valley

Associated Press, November 25, 2016

SALT LAKE CITY (AP) – A small earthquake south of Salt Lake City on Friday morning was felt by some 200 people in the area.

The University of Utah Seismograph Stations said in a news release Friday that the magnitude 3.2 quake occurred at 8:45 southwest of Bluffdale in the southern end of the Salt Lake City metro area.

Seismologist Relu Burlacu says reports have come in from around the area including in Sandy, South Jordan and Salt Lake City.

The largest earthquake recorded in the area came in 1992 when a magnitude 4.1 hit.

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WYOMING:

FEMA-RELATED STORIES:

From: Dombrowski, Justin
Sent: 10 Feb 2017 18:13:46 -0500
To: Appenrodt, Kathleen;Dick, Jennifer
Subject: FW: Notes from DAPL call today
Attachments: ND DAPL Conference Call Notes.docx

Well, looking at the notes, can see how Alan/ESF13 spun up the discussion…

From: Dragani, Nancy
Sent: Friday, February 10, 2017 4:03 PM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Subject: FW: Notes from DAPL call today

From: Depalo, Lee
Sent: Friday, February 10, 2017 12:31 PM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: FW: Notes from DAPL call today

Nancy, notes from the call that ESF-13 mentioned in today's SA meeting are attached.

Lee

Lee dePalo

Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990

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Page 1330

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Page 1332

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From: Dragani, Nancy
Sent: 10 Feb 2017 18:17:19 -0500
To: Dick, Jennifer
Subject: FW: Notes from DAPL call today
Attachments: ND DAPL Conference Call Notes.docx

From: Depalo, Lee
Sent: Friday, February 10, 2017 12:31 PM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: FW: Notes from DAPL call today

Nancy, notes from the call that ESF-13 mentioned in today's SA meeting are attached.

Lee

Lee dePalo

Response Division Director
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Cell: 720-456-9616
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National Emergency Management Association
2017 Mid-Year Emergency Management Policy
&
Leadership Forum

BRIEFING MEMO

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MID-YEAR FORUM OVERVIEW

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From: Sevier, Adrian
Sent: 18 Feb 2017 15:09:46 -0500
To: Dick, Jennifer;Parker, Robert
Cc: Adamcik, Carol Ann;Martinet, Mary E;Allen, Jotham
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Thank you. If I understand the USACE position, they claim no authority to actually enforce their no trespassing orders. Enjoy the rest of your weekend.

Sent from my iFEMA mobile device.

From: Dick, Jennifer
Sent: Saturday, February 18, 2017 11:09:04 AM
To: Sevier, Adrian; Parker, Robert
Cc: Adamcik, Carol Ann; Martinet, Mary E; Allen, Jotham
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Hi Adrian,

ARA Dragani was in route back to Denver yesterday afternoon. I'm sure she'll have some additional insight following her meeting with the State Director.

The State hadn't provided much information directly to the Region so much of our situational awareness/information has been obtained through media reporting. Here are answers to your questions.

Q: I'm still not clear what the State wants for law enforcement support and why. Is it just for security (maintain order) or to remove the trespassers?

A: I believe it's both. LE has been engaged in both maintaining order/public safety and removing trespassers from private property and protecting public infrastructure near the construction area/protest camps. The TAG highlighted the recent warmer weather/snow melt and the Corps of Engineers' issuance of the construction easement in his email to the NSC seeking federal assistance.

As you know, the Corps issued an order directing protestors to leave its property by Feb 22 citing threats to safety due to spring flooding and the need to clean up the large amount of debris and garbage from the camp prior to spring flooding. A few hundred protesters remain at the camp on federal property. The governor issued a similar emergency order directing the protesters leave the area by that same date. Previous orders/requests by the Corps for protesters to leave federal property have not been heeded or enforced.

Also, following the President's Exec Order and the Corps issuing the easement necessary

to resume/complete the pipeline construction, the State expressed concern about a potential uptick in protest activity as a last ditch effort. I have not seen/heard anything to confirm that this has occurred.

Q: Is it because they lack the physical numbers?

A: Likely yes. The protest activity has been ongoing since April with up to thousands at the camps at periods of time and hundreds of arrests (700). Morton County has limited law enforcement (I think I read 33 officers) and therefore there has been a need to supplement with other local/state officers and National Guard resources. The State also utilized EMAC to bring in LE from other states. Due to the length of time the protest activity has gone on, as well as the nature of the work/assignment, I understand that resourcing has been challenging.

Q: Is it just really expensive (and have they quantified that)?

A: Yes, I'm certain that the high costs have led to the State's frustration and inquiries for federal LE assistance. I've seen various reports on the State's expenses. One referenced the State costs had exceeded $24M. Another news media last week reported that the State's costs are around $33M--consisting of officer pay, travel/lodging, and equipment and supplies.

Q: Is it that they believe it's a Federal responsibility because of the land the trespassers occupy?

A: Yes--Protestors have been camped out on federal property. This was the largest of the 3 protester camps. As noted above, prior orders from the Corps directing protesters to leave federal property in the late fall/early winter were not heeded. When protesters did not leave, there was no federal enforcement.

Jennifer Dick
Regional Counsel
(303) 563-9230

From: Sevier, Adrian
Sent: Friday, February 17, 2017 2:44:06 PM
To: Dick, Jennifer; Parker, Robert
Cc: Adamcik, Carol Ann; Martinet, Mary E; Allen, Jotham

Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Despite participating in a few NSC-level meetings on this topic I'm still not clear what the State wants for law enforcement support and why. Is it just for security (maintain order) or to remove the trespassers? Is it because they lack the physical numbers? Is it just really expensive (and have they quantified that)? Is it that they believe it's a Federal responsibility because of the land the trespassers occupy?

From: Dick, Jennifer
Sent: Friday, February 17, 2017 2:37 PM
To: Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>; Parker, Robert <Robert.Parker@fema.dhs.gov>
Cc: Adamcik, Carol Ann <CarolAnn.Adamcik@fema.dhs.gov>; Martinet, Mary E <Mary.Martinet@fema.dhs.gov>; Allen, Jotham <Jotham.Allen@fema.dhs.gov>
Subject: FW: Dakota Access Pipeline Contingency Meeting - 2/15

FYI--ARA Dragani sent the info below to Josh Dozor regarding her meeting this morning with the ND EM Director.

Jennifer Dick
Regional Counsel
(303) 563-9230

From: Dragani, Nancy
Sent: Friday, February 17, 2017 2:01:17 PM
To: Dozor, Joshua
Cc: Deal, Timothy; Depalo, Lee; Greff, Stacie; Dick, Jennifer
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

State is very frustrated.

They confirmed they do not need any planning support. They are still looking for LE support but based on a call last night with the NSC, that will not be likely.

Greg identified 17 contingency plans but respectfully declined to share them with the federal gov since we/they are not participating in the actions.

Neither the TAG nor the Gov were there but Greg is speaking for the TAG re: planner support. I reconfirmed with Greg that we are ready to support if and when appropriate and he acknowledged that he would reach out if needs were identified that required our support. He very clearly understands the criteria for a Stafford Act declaration. That may not, however, preclude a request.

I'm getting ready to take off for Denver but will check email once on the ground.

Nancy

Sent from my iFEMA mobile device.

From: Dozor, Joshua
Sent: Friday, February 17, 2017 1:46:24 PM
To: Dragani, Nancy
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

How did it go?

Been juggling several different WH and DHS tasks

Joshua C. Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
Cell: 202-631-6877
SPRNet: Joshua.dozor@dhs.sgov.gov

From: Dragani, Nancy
Sent: Thursday, February 16, 2017 3:00 PM
To: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>; Bibo, David <David.Bibo@fema.dhs.gov>; Gruber, Corey <Corey.Gruber@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Depalo, Lee <lee.depalo@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>; Stensgaard, Theresa <Theresa.Stensgaard@fema.dhs.gov>
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Josh, Dave, Corey and Adrian,

I am meeting with Greg Wilz,, ND EMA director at 0830 tomorrow morning. At 1000, I plan to attend a UCG with the TAG, Greg, the Governor and other senior leaders. My intent is to stay firmly within the support role but I'd welcome any additional input on how to stay within the lines.

Regards, Nancy

From: Dozor, Joshua
Sent: Thursday, February 16, 2017 6:18 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>; Bibo, David <David.Bibo@fema.dhs.gov>; Gruber, Corey

<Corey.Gruber@fema.dhs.gov>
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Completely agree Nancy. It's your call and AOR. We'll stand by.
We met the due out for yesterday so I think it's ok if we get back to the White House by Friday.

Joshua C Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
202-631-6877

From: Dragani, Nancy
Sent: Wednesday, February 15, 2017 8:43:58 PM
To: Dozor, Joshua; Sevier, Adrian; Bibo, David; Gruber, Corey
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Josh

I'll reach back out to Greg first thing tomorrow morning. In North Dakota, the EMA is part of the Adjutant General's Department; Greg is a retired Army NDNG Colonel. If possible, I'd like to talk with him about the Governor's request before I (or someone else) goes to the TAG. Since I'm in SD, I could also drive up to ND tomorrow and have a face to face meeting with Greg if you think that would be helpful. Up to these recently, I've been supporting from arms length due to the state v tribe concern but can get more directly engaged if needed.

Thoughts?

Sent from my iFEMA mobile device.

From: Dozor, Joshua
Sent: Wednesday, February 15, 2017 7:44:10 PM
To: Cramer, Drew W. EOP/NSC; Gautier, Peter W. EOP/NSC; (b)(6) EOP/NSC
Cc: Payne, Matthew S; Havranek, John; Isacco, Michael; Sevier, Adrian; Dragani, Nancy
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

I'll check with the Region who would know about the State's planning - this is one of the area's top risk after all. The Federal Region's primary plan we would use for this situation will be their All Hazard Plan developed in concert with all the states.

Joshua C Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
202-631-6877

Referred to Another Agency/Component

-----Original Message-----
From: Dozor, Joshua [mailto:Joshua.Dozor@fema.dhs.gov]
Sent: Wednesday, February 15, 2017 7:28 PM
To: Cramer, Drew W. EOP/NSC <(b)(6)@nsc.eop.gov>; Gautier, Peter W. EOP/NSC <(b)(6)@nsc.eop.gov>; (b)(6) EOP/NSC <(b)(6)@nsc.eop.gov>
Cc: Payne, Matthew S <Matthew.Payne@fema.dhs.gov>; (b)(6) <(b)(6)@HQ.DHS.GOV>; Isacco, Michael <Michael.Isacco@HQ.DHS.GOV>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Pete, Drew and (b)(6)

Here are FEMA's responses to the questions presented at today's meeting due today.

1. The FEMA Region has identified two individuals who can immediately support North Dakota: the Region VIII Response Ops Chief and the designated Region LNO to the State. Both are familiar with planning factors and can help interpret ESF 8 and 9 requirements, as well as understand how to reach back to those ESFs if necessary.

2. The region's liaison to North Dakota has maintained regular contact with the State. To date, North

Dakota has indicated they do not need assistance from FEMA for planning support.

3. The state director, Greg Wilz, has been in place for 11 years. He was retained by the Governor and he is very knowledgeable about the disaster declaration criteria and the process. The FEMA Regional Administrator (Nancy Dragani) had spoken with Greg as recently as yesterday when FEMA had offered planning support and he indicated he did not feel that was necessary at this time. According to Greg, they have worked up multiple contingency plans to address flooding, renewed protests and environmental contamination.

-Doz

Joshua C Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
202-631-6877

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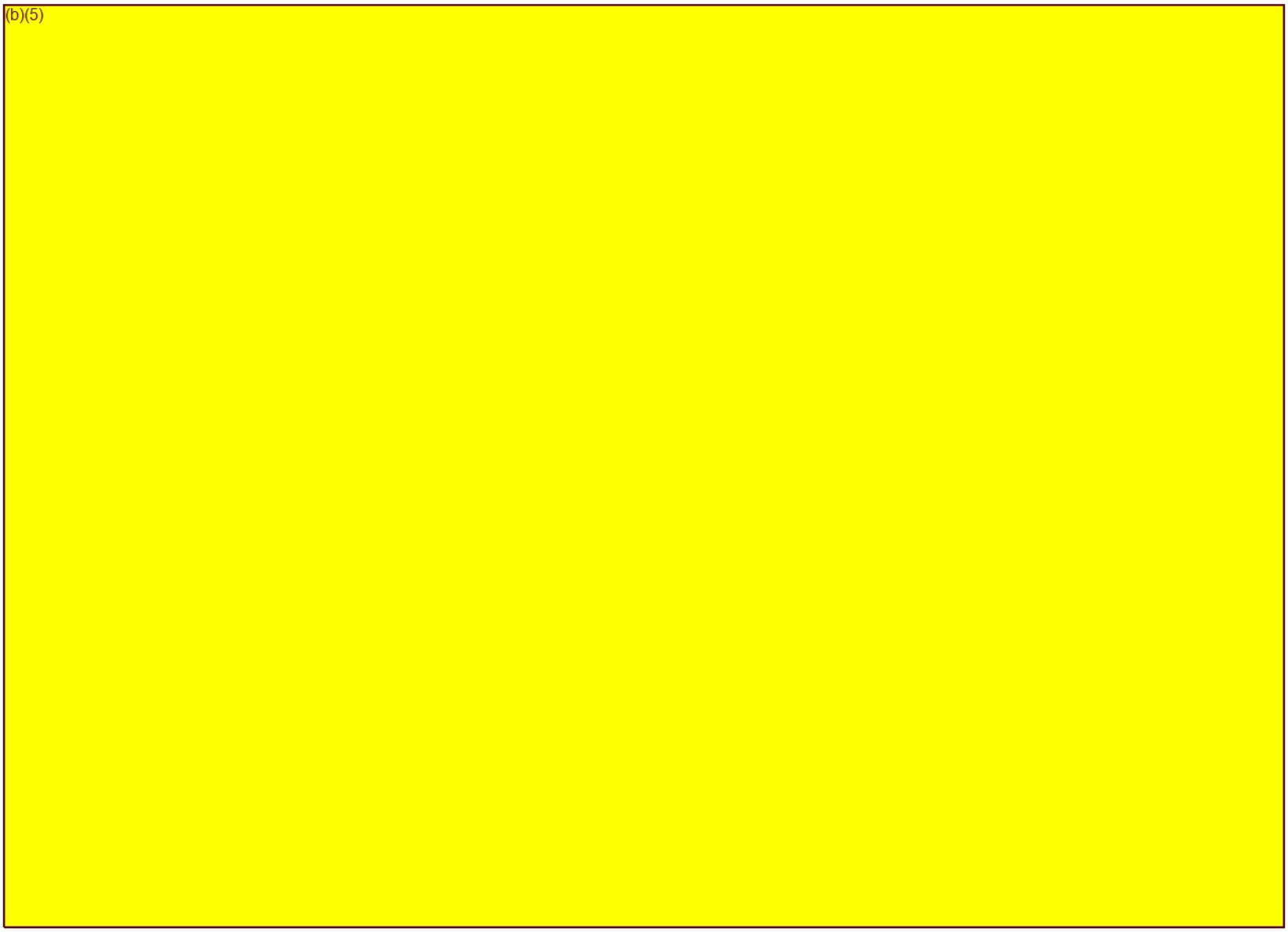
From: Floyd, Megan
Sent: 31 Jan 2017 18:47:23 -0500
To: Greff, Stacie
Cc: Dombrowski, Justin;Dick, Jennifer
Subject: RE: ACTION: Review for Senate Indian Affairs Committee Input

Thank you all. I have recolored everything and sent to Randy to provide to HQ.

From: Greff, Stacie
Sent: Tuesday, January 31, 2017 4:30 PM
To: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Cc: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Subject: ACTION: Review for Senate Indian Affairs Committee Input

Megan -- Jen's edits are in red, and I added some additional ones in purple, plus I did some formatting. Information is just below. Thanks. Stacie

(b)(5)



(b)(5)

[redacted]

From: Dick, Jennifer
Sent: Tuesday, January 31, 2017 4:16 PM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: ACTION: Review for Senate Indian Affairs Committee Input

I thought it looked pretty good—just some minor suggestions.

(b)(5)

[redacted]

(b)(5)

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

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From: Floyd, Megan
Sent: Tuesday, January 31, 2017 2:44 PM
To: Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: ACTION: Review for Senate Indian Affairs Committee Input

Stacie and Jen –

Below is the background information that we pulled together for the Senate Indian Affairs Committee Hearing scheduled for next week. Please let me know if you have any changes. It is due back to HQ by COB today. I apologize for the quick turnaround time.

1) Standing Rock: Dakota Access Pipeline Protests - There have been no requests for FEMA assistance from the Tribe or the State

- Background: On April 1, 2016 people began to gather and protest the Dakota Access Pipeline just north of the Standing Rock Reservation border. Protest crowds were estimated at 10,000 plus (NYTimes) during their peak. Since December 2016, when the Army Corps of Engineers did not approve the easement necessary to permit the pipeline to cross under Lake Oahe, the numbers at the protest camps have fallen to around 500 (+/-). Due to the significant crowd size, North Dakota provided additional law enforcement resulting in substantial costs to the State office of Homeland Security. In October, the State of North Dakota started to talk about EMAC to support the law enforcement efforts. Ultimately other states did provide support to the State of ND. In late September, Senator Hoeven spoke with former administer Fugate regarding the need to provide financial assistance to the State to support law enforcement. The State has not made any official requests of FEMA for assistance. The Standing Rock Sioux Tribe has not reached out to FEMA for assistance either. At this time, both the Standing Rock Sioux Tribe and

the State of North Dakota have called on protestors to leave the protest site and return home based on concerns for spring flooding and the impacts of the protest camp on the local community. FEMA is not engaged on the issue beyond passive monitoring. See most recent news from Senator Hoeven below.

2) Rocky Boy's: OIG Audit

- In 2010 The Chippewa Cree of the Rocky Boy's reservation was a direct grantee for DR-1922. Following the event there have been numerous issues with tribal officials misusing FEMA and other federal funds. The Montana US Attorney's office and the Department of the Interior OIG have prosecuted several individuals. THE DHS OIG has also been involved and is looking specifically at the misuse of FEMA Public Assistance grants. The OIG has been involved with audits of DR-1922 for several years. Currently they are auditing Project Worksheets related to a health clinic that was destroyed during the disaster.

3) EMPG: Funds not available directly to tribal governments

- Tribes across Region VIII has been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their emergency management programs and in some cases some funds trickle down to tribes, however, the tribes do not have direct access to these funds. The tribes in Region VIII have expressed concerns about the requirements for receiving a direct Presidential Emergency or Major Disaster declaration because they do not have access to grant program funds to support the development of their emergency management programs and internal capacity.

Additional BIA officers to be dispatched to ND to assist with DAPL protests

KFYR-TV, Bismarck
Posted: Fri 5:00 PM, Jan 27, 2017 |
Updated: Fri 5:02 PM, Jan 27, 2017

WASHINGTON, D.C. - Senator John Hoeven announced Friday the Bureau of Indian Affairs has dispatched 20 additional officers to North Dakota to help state and local law enforcement at the Dakota Access Pipeline protest sites.

This will bring the total number of BIA officers at the site to 40.

"We're working to get more federal law enforcement assistance to work with state and local law enforcement officers. The BIA has committed to provide an additional 20 officers, who should be there this weekend. In addition, we're working with both the Department of Homeland Security and the Department of Justice to provide additional resources as well," Hoeven said.

From: Krikava, Richard
Sent: Thursday, January 26, 2017 3:17:58 PM
To: Norris, Rachael; Deshong, Casey; Hunter, Cynthia; Cappannari, Michael L; Shulman, Dan; Golding, Noah; Rigby, Corey; Murphy, Kendall; Alvarado, Diego

Cc: Trytten, Dana; Booth, Milo
Subject: Senate Indian Affairs Committee

Team:

As you may have heard, we've got a hearing coming up in the Senate Indian Affairs Committee on Feb. 8. In an effort to prepare our witness for questions that may be lobbed at him, could you please take a look at the list of Senators below, and let me know if there are any boogeyman issues related to FEMA out there that might flare up in the hearing (related to Indian Country or otherwise)?

I'm just looking for a few lines on the issues that might be out there, and if we need to dig in deeper, we can go from there.

Something by COB Tuesday, Jan. 31?

Thanks, and call me if you have any questions. (Also, I'm sure our Tribal Branch here at HQ are pinging your Regional Tribal Liaisons, too.)

REPUBLICANS

John Hoeven, Member - Chairman (ND)
John Barrasso, Member (WY)
John McCain, Member (AZ)
Lisa Murkowski, Member (AK)
James Lankford, Member (OK)
Steve Daines, Member (MT)
Michael Crapo, Member (ID)
Jerry Moran, Member (KS)

DEMOCRATS

Tom Udall, Member - Vice Chairman (NM)
John Tester, Member (MT)
Maria Cantwell, Member (WA)
Al Franken, Member (MN)
Brian Schatz, Member (HI)
Heidi Heitkamp, Member (ND)
Catherine Cortez Masto, Member (NV)

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov


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SAFETY TIPS
SHELTERS
PHOTOS
Download on the App Store
GET IT ON Google Play

From: Dick, Jennifer
Sent: 18 Feb 2017 16:03:07 +0000
To: Adamcik, Carol Ann
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Thanks for taking a look at this. Yes--region has only been monitoring from a far--therefore our information from the State is limited. I'll add a sentence and send out.

Jennifer Dick
Regional Counsel
(303) 563-9230

From: Adamcik, Carol Ann
Sent: Saturday, February 18, 2017 10:29:32 AM
To: Dick, Jennifer
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Hi Jen,

Thanks for running this by me. I like your response. The only thing that jumps out at me is that a lot of the information you have cited is coming from the news media. I think Adrian would ask about that.

I assume that's because the state hasn't provided that to us. I would address that directly, for instance add a sentence somewhere indicating that the state hasn't provided all the information and so we are getting some of our information from media.

Carol Ann Adamcik
Principal Deputy Associate Chief Counsel, RFOLD, FEMA Office of Chief Counsel
Office: 202-646-7971 Blackberry: 202-674-8488
CarolAnn.Adamcik@fema.dhs.gov

From: Dick, Jennifer
Sent: Friday, February 17, 2017 7:46 PM
To: Adamcik, Carol Ann <CarolAnn.Adamcik@fema.dhs.gov>
Subject: FW: Dakota Access Pipeline Contingency Meeting - 2/15

Hi Carol Ann-

I put together the below draft response to Adrian's email of questions. I didn't want to

send unless you had seen it/were okay with responding.

Hi Adrian,

ARA Dragani was in route back to Denver this afternoon. I'm sure she'll have some additional insight from her meeting with the State Director. Here are my answers to your questions.

Q: I'm still not clear what the State wants for law enforcement support and why. Is it just for security (maintain order) or to remove the trespassers?

A: I believe it's both. LE has been engaged in both maintaining order and removing trespassers from private property and protecting public infrastructure near the construction area/protest camps. The TAG highlighted the recent warmer weather/snow melt and the Corps of Engineers' issuance of the construction easement in his email to the NSC seeking federal assistance.

As you know, the Corps issued an order directing protestors to leave its property by Feb 22 citing threats to safety due to spring flooding and the need to clean up the large amount of debris and garbage from the camp prior to spring flooding. A few hundred protesters remain at the camp on federal property. The governor issued a similar emergency order directing the protesters to leave the area by that same date. Previous orders/requests by the Corps for protesters to leave federal property have not been heeded or enforced.

Also, following the President's Exec Order and the Corps issuing the easement necessary to resume/complete the pipeline construction, The State expressed concern about a potential uptick in protest activity as a last ditch effort. I have not seen anything in the media recently to confirm that this has occurred.

Q: Is it because they lack the physical numbers?

A: Likely yes. The protest activity has been ongoing since April with up to thousands at the camps at periods of time and hundreds of arrests (700). Morton County has limited law enforcement (I think I read 33 officers) and therefore there has been a need to supplement with other local/state officers and National Guard resources. The State also utilized EMAC to bring in LE from other states. Due to the length of time the protest activity has gone on, as well as the nature of the work/assignment), I understand that resourcing has been challenging.

Q: Is it just really expensive (and have they quantified that)?

A: Yes, I'm certain that the high costs have led to the State's frustration and inquiries for federal LE assistance. I've seen various reports on the State's expenses. One article

referenced the State costs had exceeded $24M. Another news media reported that the State's costs are around $33M--consisting of officer pay, travel/lodging, and equipment and supplies.

Q: Is it that they believe it's a Federal responsibility because of the land the trespassers occupy?

A: Yes--Protestors have been camped out on federal property. This was the largest of the 3 camps. As noted above, prior orders from the Corps for the protesters to leave federal property made in in the fall/early winter were not heeded. When protesters did not leave, there was no federal enforcement.

Jennifer Dick
Regional Counsel
(303) 563-9230

From: Sevier, Adrian
Sent: Friday, February 17, 2017 2:44:06 PM
To: Dick, Jennifer; Parker, Robert
Cc: Adamcik, Carol Ann; Martinet, Mary E; Allen, Jotham
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Despite participating in a few NSC-level meetings on this topic I'm still not clear what the State wants for law enforcement support and why. Is it just for security (maintain order) or to remove the trespassers? Is it because they lack the physical numbers? Is it just really expensive (and have they quantified that)? Is it that they believe it's a Federal responsibility because of the land the trespassers occupy?

From: Dick, Jennifer
Sent: Friday, February 17, 2017 2:37 PM
To: Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>; Parker, Robert <Robert.Parker@fema.dhs.gov>
Cc: Adamcik, Carol Ann <CarolAnn.Adamcik@fema.dhs.gov>; Martinet, Mary E <Mary.Martinet@fema.dhs.gov>; Allen, Jotham <Jotham.Allen@fema.dhs.gov>
Subject: FW: Dakota Access Pipeline Contingency Meeting - 2/15

FYI--ARA Dragani sent the info below to Josh Dozor regarding her meeting this morning with the ND EM Director.

Jennifer Dick
Regional Counsel
(303) 563-9230

From: Dragani, Nancy
Sent: Friday, February 17, 2017 2:01:17 PM
To: Dozor, Joshua
Cc: Deal, Timothy; Depalo, Lee; Greff, Stacie; Dick, Jennifer
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

State is very frustrated.

They confirmed they do not need any planning support. They are still looking for LE support but based on a call last night with the NSC, that will not be likely.

Greg identified 17 contingency plans but respectfully declined to share them with the federal gov since we/they are not participating in the actions.

Neither the TAG nor the Gov were there but Greg is speaking for the TAG re: planner support. I reconfirmed with Greg that we are ready to support if and when appropriate and he acknowledged that he would reach out if needs were identified that required our support. He very clearly understands the criteria for a Stafford Act declaration. That may not, however, preclude a request.

I'm getting ready to take off for Denver but will check email once on the ground.

Nancy

Sent from my iFEMA mobile device.

From: Dozor, Joshua
Sent: Friday, February 17, 2017 1:46:24 PM
To: Dragani, Nancy
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

How did it go?

Been juggling several different WH and DHS tasks

Joshua C. Dozor
Acting Associate Administrator

FEMA Office of Policy and Program Analysis
Cell: 202-631-6877
SPRNet: Joshua.dozor@dhs.sgov.gov

From: Dragani, Nancy
Sent: Thursday, February 16, 2017 3:00 PM
To: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>; Bibo, David <David.Bibo@fema.dhs.gov>; Gruber, Corey <Corey.Gruber@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Depalo, Lee <lee.depalo@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>; Stensgaard, Theresa <Theresa.Stensgaard@fema.dhs.gov>
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Josh, Dave, Corey and Adrian,

I am meeting with Greg Wilz,, ND EMA director at 0830 tomorrow morning. At 1000, I plan to attend a UCG with the TAG, Greg, the Governor and other senior leaders. My intent is to stay firmly within the support role but I'd welcome any additional input on how to stay within the lines.

Regards, Nancy

From: Dozor, Joshua
Sent: Thursday, February 16, 2017 6:18 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>; Bibo, David <David.Bibo@fema.dhs.gov>; Gruber, Corey <Corey.Gruber@fema.dhs.gov>
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Completely agree Nancy. It's your call and AOR. We'll stand by.
We met the due out for yesterday so I think it's ok if we get back to the White House by Friday.

Joshua C Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
202-631-6877

From: Dragani, Nancy
Sent: Wednesday, February 15, 2017 8:43:58 PM
To: Dozor, Joshua; Sevier, Adrian; Bibo, David; Gruber, Corey
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Josh

I'll reach back out to Greg first thing tomorrow morning. In North Dakota, the EMA is part of the Adjutant General's Department; Greg is a retired Army NDNG Colonel. If possible, I'd like to talk with him about the Governor's request before I (or someone else) goes to the TAG. Since I'm in SD, I could also drive up to ND tomorrow and have a face to face meeting with Greg if you think that would be helpful. Up to these recently, I've been supporting from arms length due to the state v tribe concern but can get more directly engaged if needed.

Thoughts?

Sent from my iFEMA mobile device.

From: Dozor, Joshua
Sent: Wednesday, February 15, 2017 7:44:10 PM
To: Cramer, Drew W. EOP/NSC; Gautier, Peter W. EOP/NSC; (b)(6) EOP/NSC
Cc: Payne, Matthew S; (b)(6) Isacco, Michael; Sevier, Adrian; Dragani, Nancy
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

I'll check with the Region who would know about the State's planning - this is one of the area's top risk after all. The Federal Region's primary plan we would use for this situation will be their All Hazard Plan developed in concert with all the states.

Joshua C Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
202-631-6877

Referred to Another Agency/Component

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-----Original Message-----
From: Dozor, Joshua [mailto:Joshua.Dozor@fema.dhs.gov]
Sent: Wednesday, February 15, 2017 7:28 PM
To: Cramer, Drew W. EOP/NSC <(b)(6)@nsc.eop.gov>; Gautier, Peter W. EOP/NSC <(b)(6)@nsc.eop.gov>; (b)(6) EOP/NSC <(b)(6)@nsc.eop.gov>
Cc: Payne, Matthew S <Matthew.Payne@fema.dhs.gov>; (b)(6) <John.Havranek@HQ.DHS.GOV>; (b)(6)@HQ.DHS.GOV>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Pete, Drew and (b)(6)

Here are FEMA's responses to the questions presented at today's meeting due today.

1. The FEMA Region has identified two individuals who can immediately support North Dakota: the Region VIII Response Ops Chief and the designated Region LNO to the State. Both are familiar with planning factors and can help interpret ESF 8 and 9 requirements, as well as understand how to reach back to those ESFs if necessary.

2. The region's liaison to North Dakota has maintained regular contact with the State. To date, North Dakota has indicated they do not need assistance from FEMA for planning support.

3. The state director, Greg Wilz, has been in place for 11 years. He was retained by the Governor and he is very knowledgeable about the disaster declaration criteria and the process. The FEMA Regional Administrator (Nancy Dragani) had spoken with Greg as recently as yesterday when FEMA had offered planning support and he indicated he did not feel that was necessary at this time. According to Greg, they have worked up multiple contingency plans to address flooding, renewed protests and environmental contamination.

-Doz

Joshua C Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
202-631-6877

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Page 1378

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Page 1379

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From: Dragani, Nancy
Sent: 17 Feb 2017 14:01:17 -0500
To: Dozor, Joshua
Cc: Deal, Timothy;Depalo, Lee;Greff, Stacie;Dick, Jennifer
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

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Joshua C Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
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Joshua C Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
202-631-6877

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Page 1384

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Page 1385

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Sent: 17 Feb 2017 15:18:28 -0500
To: Dragani, Nancy
Cc: Deal, Timothy;Depalo, Lee;Greff, Stacie;Dick, Jennifer
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Thanks Nancy
I'll send you any updates I might get from the White House on LE support. I'll see them Wednesday and will check in person then too.

Doz

Joshua C. Dozor
Associate Administrator for Policy and Program Analysis (Acting)
Federal Emergency Management Agency
Cell: 202-631-6877

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Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Depalo, Lee <lee.depalo@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>; Stensgaard, Theresa <Theresa.Stensgaard@fema.dhs.gov>
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Josh, Dave, Corey and Adrian,

I am meeting with Greg Wilz,, ND EMA director at 0830 tomorrow morning. At 1000, I plan to attend a UCG with the TAG, Greg, the Governor and other senior leaders. My intent is to stay firmly within the support role but I'd welcome any additional input on how to stay within the lines.

Regards, Nancy

From: Dozor, Joshua
Sent: Thursday, February 16, 2017 6:18 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>; Bibo, David <David.Bibo@fema.dhs.gov>; Gruber, Corey <Corey.Gruber@fema.dhs.gov>
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Completely agree Nancy. It's your call and AOR. We'll stand by.
We met the due out for yesterday so I think it's ok if we get back to the White House by Friday.

Joshua C Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
202-631-6877

From: Dragani, Nancy
Sent: Wednesday, February 15, 2017 8:43:58 PM
To: Dozor, Joshua; Sevier, Adrian; Bibo, David; Gruber, Corey
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Josh

I'll reach back out to Greg first thing tomorrow morning. In North Dakota, the EMA is part of the Adjutant General's Department; Greg is a retired Army NDNG Colonel. If possible, I'd like to talk with him about the Governor's request before I (or someone else) goes to the TAG. Since I'm in SD, I could also drive up to ND tomorrow and have a face to face meeting with Greg if you think that would be helpful. Up to these recently, I've been supporting from arms length due to the state v tribe concern but can get more directly engaged if needed.

Thoughts?

Sent from my iFEMA mobile device.

From: Dozor, Joshua
Sent: Wednesday, February 15, 2017 7:44:10 PM
To: Cramer, Drew W. EOP/NSC; Gautier, Peter W. EOP/NSC; (b)(6) EOP/NSC
Cc: Payne, Matthew S; (b)(6); Isacco, Michael; Sevier, Adrian; Dragani, Nancy
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

I'll check with the Region who would know about the State's planning - this is one of the area's top risk after all. The Federal Region's primary plan we would use for this situation will be their All Hazard Plan developed in concert with all the states.

Joshua C Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
202-631-6877

Referred to Another Agency/Component

-----Original Message-----
From: Dozor, Joshua [mailto:Joshua.Dozor@fema.dhs.gov]
Sent: Wednesday, February 15, 2017 7:28 PM
To: Cramer, Drew W. EOP/NSC <(b)(6)@nsc.eop.gov>; Gautier, Peter W. EOP/NSC <(b)(6)@nsc.eop.gov>(b)(6) EOP/NSC <(b)(6)@nsc.eop.gov>
Cc: Payne, Matthew S <Matthew.Payne@fema.dhs.gov>;(b)(6) <(b)(6)@HQ.DHS.GOV>; Isacco, Michael <(b)(6)@HQ.DHS.GOV>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Pete, Drew and (b)(6):

Here are FEMA's responses to the questions presented at today's meeting due today.

1. The FEMA Region has identified two individuals who can immediately support North Dakota: the Region VIII Response Ops Chief and the designated Region LNO to the State. Both are familiar with planning factors and can help interpret ESF 8 and 9 requirements, as well as understand how to reach back to those ESFs if necessary.

2. The region's liaison to North Dakota has maintained regular contact with the State. To date, North Dakota has indicated they do not need assistance from FEMA for planning support.

3. The state director, Greg Wilz, has been in place for 11 years. He was retained by the Governor and he is very knowledgeable about the disaster declaration criteria and the process. The FEMA Regional Administrator (Nancy Dragani) had spoken with Greg as recently as yesterday when FEMA had offered planning support and he indicated he did not feel that was necessary at this time. According to Greg, they have worked up multiple contingency plans to address flooding, renewed protests and environmental contamination.

-Doz

Joshua C Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
202-631-6877

_____

Referred to Another Agency/Component

Page 1391

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

From: Dick, Jennifer
Sent: 23 Mar 2017 20:34:36 +0000
To: Americanos, Christopher (Christopher.Americanos@fema.dhs.gov)
Subject: RE: DAPL Prep
Attachments: FEMA Assessment of EM Dec for the Dakota Access Pipeline (002).docx

In case you have to deal with a DAPL declaration request while I'm gone--pull this prior email with the attachments and also see this particular attachment that Nancy and I received from HQ (it was prepared for the Nat'l Sec Council—so close hold). These items should help you with a potential RVAR.

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

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From: Dick, Jennifer
Sent: Thursday, February 16, 2017 5:56 PM
To: Americanos, Christopher (Christopher.Americanos@fema.dhs.gov) <Christopher.Americanos@fema.dhs.gov>
Subject: FW: DAPL Prep

Just fyi—please keep close hold: I helped Stacie with the backgrounder for Nancy as she will be in ND tomorrow (driving up from SD). She is meeting with State Director and TAG and then going to the UCG re: pipeline. FEMA posture/position remains the same as we've discussed before—Stafford declaration not appropriate for this situation (where the need is to supplement state law enforcement needs) and other federal agencies have specific authority. Nothing should be required of us tomorrow, but I just wanted you to know. I've been in close contact with Carol Ann and Bob Parker this week and Adrian has also been involved with the issue since it has been discussed/worked at NSC. I'll pass along whatever else I hear tomorrow. Thanks,

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

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From: Greff, Stacie
Sent: Thursday, February 16, 2017 5:22 PM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: DAPL Prep (pasted into email if needed)

ARA North Dakota Background / Talking Points – DAPL Issue:

Potential Questions/Answers:

Q: What about the Stafford Act for an Emergency or Major Declaration?
A: The Stafford Act is not an appropriate approach for this situation.

Q: Why isn't Stafford appropriate?
A: Here are the reasons:

- Stafford is not appropriate where another federal agency has specific authority to address a state need.
    - DOJ has specific authority to declare law enforcement emergencies.
- Stafford also is not appropriate to supplement lack of funding of another federal agency that has the authority to respond.
- Stafford Act has not been approved for recent incidents where states were seeking supplementary law enforcement assistance.
    - June 2016 – Orlando mass shooting. Emergency declaration denied.
    - June 2015 – Baltimore civil unrest. Emergency declaration denied.
    - DOJ provided $1M in grant assistance for both events listed above.

Q: Wait, didn't FEMA give a declaration for the Boston Marathon bombing?
A: Yes, FEMA did. However, they provided support for response and security activities, not law enforcement investigations. Of note, DOJ provided assistance through the Emergency Federal Law Enforcement Assistance (EFLEA) grant. ($1.9M)

Q: Hey, what about the LA Riots? FEMA granted assistance.
A: An Emergency Declaration was granted to manage the response to fire hazards, not to manage the enforcement of law.

Q from the Governor: Even though you say that Stafford isn't appropriate, I can ask FEMA for an Emergency Declaration, right?
A: Governor, it is always your right to request assistance through FEMA to the President for a federal disaster declaration. However, this situation does not fit Stafford Act given that the need is for law enforcement.

Q: Can FEMA provide anything if you are saying a declaration is unlikely?
A: FEMA would be able to provide technical assistance with planning if the state sees that as a need.

For your background:

A Major Declaration is specific to natural catastrophe, fire and explosion.

An Emergency Declaration has a broader definition. However, it is still not appropriate based on the above points relating to other agencies' specific authorities and prior declaration precedent.

Emergency Federal Law Enforcement Assistance (EFLEA) grant:
https://www.ncjrs.gov/pdffiles/eflea.pdf

- Federal law enforcement assistance to a state overwhelmed by a law enforcement emergency
- Assistance provided can include "funds, equipment, training, intelligence information, [or] personnel.

Talk about the fact that you have been in touch with Grez Wilz to monitor the situation.

Stress you were in South Dakota supporting their recent disaster and decided to get some on the ground awareness.

Highly recommend that you attend on your own and that Nancy Casper and Jon Huss do not participate. We need to keep this as low-key as we possibly given the situation.

Go in normal dress, not FEMA gear.

Nancy E. Gist, Director
U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

The Emergency Federal Law Enforcement Assistance Program

The Federal Government administers a variety of assistance programs to provide a coordinated response to State and local governments stricken by natural dis- asters. During such extraordinary circumstances, when State or local agencies are incapable of unilaterally coping with the aftermath of a flood, hurricane, tornado, or other natural calamity, the Federal Government has come to their aid with a multiagency response.

Although the Federal Government has programs to assist State and local governments with natural disasters, until 1984 there was no coordinated Federal response for any other type of emergency. A number of events occurring in the late 1970's and early 1980's are examples of the types of unexpected law enforcement emergencies State and local agencies may face: the Atlanta child murders; the Los Angeles Night Stalker, San Francisco Zodiac, and Seattle Green River serial murder investigations; and the Mariel Cuban boatlift. Although the Federal Government's primary law enforcement role is to enforce Federal criminal statutes, it can play an ancillary role by assisting State and local governments with unexpected law enforcement emergencies that overwhelm their capacities to respond.

Program Scope and Purpose

On October 12, 1984, the Emergency Federal Law Enforcement Assistance (EFLEA) Program was enacted into law as part of the Justice Assistance Act of 1984 (Public Law 98–473) and is now

administered by the Bureau of Justice Assistance (BJA), Office of Justice Programs, U.S. Department of Justice. Its function is to assist State and/or local units of government in responding to law enforcement emergencies through the
provision of Federal law enforcement assistance. The
EFLEA Program authorizes the Attorney General to provide funds, equipment, training, intelligence information, and personnel to help alleviate emergency situations. It also authorizes the Director of BJA to assist the Attorney General in providing EFLEA assistance and coordinating program activities.
Congress' intent in passing the EFLEA Program was to create an assistance program to address extraordinary circumstances that have the potential to create serious threats to public safety. Congress limited the number of eligible law enforcement emergencies by restricting applicability to situations in which State and local re- sources have been completely exhausted or are inadequate to deal with a law enforcement emergency. The legislative history of the Justice Assistance Act of 1984 indicates that Congress expected few emergencies to be dire enough to require Federal involvement through EFLEA. The program was never intended to be a routine source of Federal financial assistance for criminal justice activities.
Section 609N(3) of the Justice Assistance Act clearly delineates the purpose of EFLEA and limits its applicability by defining a "law enforcement emergency" as:

> . . . an uncommon situation which requires law enforcement, which is or threatens to become of serious epidemic proportions, and with respect to which State and local resources are inadequate to protect the lives and property of citizens or to enforce the criminal law, except that such term **does not** [emphasis added] include the perceived need for
> planning or other activities related to crowd control
>
> for general public safety projects, or a situation requiring the enforcement of laws associated with scheduled public events, including political conventions and sports events.

The EFLEA Program serves a special purpose in alleviating damage resulting from a law enforcement emergency and providing financial support for actions taken to prevent further losses.

Eligibility for Program Assistance

If a law enforcement emergency exists throughout a State or in part of a State, the State may submit an application for itself or for units of local government to the U.S. Attorney General for EFLEA Program assis- tance. The application must meet certain criteria and be submitted in writing by the Governor in accordance with established EFLEA application guidelines, as de- scribed in the following sections.

Key Determining Factors

The Attorney General evaluates EFLEA Program applications based on the likelihood that the situation will escalate into a law enforcement emergency of epi- demic proportions, posing an imminent threat to public safety. The law enforcement emergency must be of sufficient magnitude to overwhelm the State or local government's ability to respond. Based on these criteria, the Attorney General approves or disapproves funding awards within 10 days after receiving the application.

Application Requirements

The Governor should submit a written application and signed transmittal letter that include the following elements:

- **Problem.** A description of the nature and extent of the law enforcement emergency, including the specific identification and description of the political and jurisdictional subdivision(s) where the emergency exists.
- **Resources.** A description of the State and local criminal justice resources available to address the emergency and an explanation of why and to what degree they are insufficient.

- **Required assistance.** A specific statement of the funds, equipment, training, intelligence information, and/or personnel requested and a description of their intended use.

- **Other assistance.** Information about any other assistance the State or appropriate unit of government has received or could receive under the provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.
- **Complete line-item budget.** A budget accompanied by a detailed narrative explaining all costs for which EFLEA funding is requested and showing how such costs were derived.

- **Signed and dated assurance statement.** A statement certifying compliance with applicable Federal statutes, regulations, policies, guidelines, and requirements.

- **Certification statements.** Statements concerning lobbying, debarment, suspension, drug-free workplace requirements, and other responsibility matters.

- **Disclosure of lobbying activities.** A description of any lobbying activities in which the applicant may be engaged, if the amount of the application exceeds $100,000.

Program Limitations

The EFLEA Program is not a grant program for normal and customary criminal justice expenditures; therefore, the following activities are not eligible for funding:

- **Land acquisition.** No funds are to be used to purchase or acquire land.

- **Supplantation.** No funds are to be used to sup- plant State or local funds that would otherwise be made available for such purposes.

- **Civil justice.** No funds or other assistance are to be used for civil justice matters, except to the extent that such matters relate directly and substantially to, or are inextricably intertwined with, criminal justice matters.
- **Use of Federal law enforcement personnel.** Federal law enforcement personnel may not be used to investigate violations of criminal law other than violations for which investigation is authorized by other pro- visions of law (Section 6090(a) of the Justice Assistance Act).
- **Direction, supervision, and control.** Neither the Attorney General nor the Federal law enforcement community may exercise any direction, supervision, or control over any applicant's police force or other criminal justice agency (Section 6090(b) of the Justice Assistance Act).

Examples of Recent Awards

EFLEA awards have been made for the following extraordinary law enforcement emergencies:

- **Suspicious deaths.** In June 1995, the State of Indiana requested funds to assist in investigating suspicious deaths in the intensive care unit of the Vermillion County Hospital in Clinton. The State was awarded
$330,578 to support task force efforts in conducting a homicide investigation, exhuming dozens of bodies buried in cemeteries in several States, conducting autopsies and forensic analyses, and securing medical experts.

- **Rodney King/Reginald Denny cases.** In April 1993, the State of California requested funds for law enforcement overtime to amass a sufficiently large presence of State and local law enforcement officers to prevent civil disturbances. The State had incurred extraordinary overtime expenses during jury deliberations in the civil rights trial of police officers prosecuted for assaulting Rodney King and in the aftermath of the verdict convicting the assailants of truck driver Reginald Denny. The State was awarded $1 million.

- **Waco standoff.** In March 1993, the State of Texas requested funds for overtime accrued by law enforcement officers of the Texas Department of Public Safety and the McClennan County Sheriff's Office who were directly engaged in the Waco standoff between the Branch Davidian religious sect and law enforcement. The State was awarded a grant of $625,312.

- **Gainesville Homicide Task Force.** In September 1990, the State of Florida requested emergency funding for its Gainesville Homicide Task Force. The task force was investigating five murders committed within 1 week by a serial killer. Florida received an initial and

a supplemental award totaling $1.14 million for over- time, fringe benefit costs, travel, and for associated expenses such as aircraft operations, equipment rental, and office supplies.

- **San Francisco earthquake.** In December 1989, the State of California submitted an application requesting assistance for law enforcement's response to the San Francisco earthquake. An award of $4.96 million was approved for law enforcement overtime, replacement or repair of damaged equipment, and emergency repairs to critical law enforcement facilities.

- **Hurricane Hugo.** In October and December of 1989, the State of South Carolina submitted applications requesting assistance for law enforcement's response to Hurricane Hugo. Two awards totaling $2.7 million were approved for law enforcement overtime, replacement or repair of damaged equipment, and emergency repairs to critical law enforcement facilities.

For Further Information

Detailed information about the EFLEA Program may be found at Title 28, Code of Federal Regulations, Chapter 1, Part 65. The program is codified at Title 42, United States Code, Section 10501. An application kit with additional information is available from:

Emergency Federal Law Enforcement Assistance (EFLEA) Program
Bureau of Justice Assistance 633 Indiana Avenue NW. Washington, DC 20531
202–616–2356

FS000034
September 1996

FEMA Assessment of Emergency Declaration and Comparisons to the North Dakota Access Pipeline Drill Site

February 13, 2017

(b)(5)

(b)(5)

(b)(5)

Applicability of Emergency Support Functions during Non-Stafford Act Events

(b)(5)

From: Dick, Jennifer
Sent: 22 Mar 2017 18:30:19 +0000
To: Allen, Jotham;Lawin, Thomas
Cc: Americanos, Christopher (Christopher.Americanos@fema.dhs.gov);Adamcik, Carol Ann
Subject: RE: FYI: ND Pipeline Protest

Just fyi--The latest on this is that NDDES informed the Region this morning that the State would be requesting PDA validation of their costs (law enforcement) for responding to the protest within the next 5 days.

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

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From: Dick, Jennifer
Sent: Wednesday, March 15, 2017 1:44 PM
To: Allen, Jotham <Jotham.Allen@fema.dhs.gov>; Parker, Robert <Robert.Parker@fema.dhs.gov>
Cc: Americanos, Christopher (Christopher.Americanos@fema.dhs.gov) <Christopher.Americanos@fema.dhs.gov>; Adamcik, Carol Ann <CarolAnn.Adamcik@fema.dhs.gov>
Subject: FYI: ND Pipeline Protest

Just fyi--A potential declaration request from ND related to Dakota Access Pipeline (DAPL) protest is still being discussed at the state level. Things had somewhat quieted down on this front, but we heard from NDDES that they were meeting with the Governor today to discuss a potential declaration request. To my knowledge, no fed funding (e.g. DOJ, USACE, etc.) has come to fruition to assist/reimburse the State &/or Morton County for the law enforcement expenditures. NDDES Director is well versed in the problems associated with a federal declaration/FEMA assistance for this type of event/expenses, however a decision to exert pressure upon the fed government/gain more attention to the issue —may result in the State deciding to make the request. Since I hadn't sent/heard anything in a while—wanted to make sure you were aware that it popped up again.

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

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From: Stallings, Michael
Sent: 26 Jan 2017 13:47:36 -0500
To: Dick, Jennifer;Shin, Raymond
Cc: OCC PNPLD GPD
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

Jennifer, great comment on page 2. Ray, if not too late, perhaps put "riot suppression" in quotations marks – that is the actual phrase used by the Authorized Equipment List (AEL).

Thanks, Mike

From: Dick, Jennifer
Sent: Thursday, January 26, 2017 1:46 PM
To: Shin, Raymond <raymond.shin@fema.dhs.gov>; Clifford, Chad <Chad.Clifford@fema.dhs.gov>; Brummett, David <David.Brummett@fema.dhs.gov>; OCC PNPLD GPD <OCCPNPLDGPD@FEMA.DHS.GOV>; Fried, Jordan <Jordan.Fried@fema.dhs.gov>; Shedd, Kristen <Kristen.Shedd@fema.dhs.gov>; Adamcik, Carol Ann <CarolAnn.Adamcik@fema.dhs.gov>; Saltalamachea, Michael <michael.saltalamachea@fema.dhs.gov>; Americanos, Christopher <Christopher.Americanos@fema.dhs.gov>
Cc: OCC LC <OCCLC@fema.dhs.gov>
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

Minor edits/comments attached.

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

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From: Shin, Raymond
Sent: Thursday, January 26, 2017 10:52 AM
To: Clifford, Chad <Chad.Clifford@fema.dhs.gov>; Brummett, David <David.Brummett@fema.dhs.gov>; OCC PNPLD GPD <OCCPNPLDGPD@FEMA.DHS.GOV>; Fried, Jordan <Jordan.Fried@fema.dhs.gov>; Shedd, Kristen <Kristen.Shedd@fema.dhs.gov>; Adamcik, Carol Ann <CarolAnn.Adamcik@fema.dhs.gov>; Saltalamachea, Michael <michael.saltalamachea@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>; Americanos, Christopher <Christopher.Americanos@fema.dhs.gov>
Cc: OCC LC <OCCLC@fema.dhs.gov>
Subject: FW: Request for expedited review of response to DHS request - Dakota Access Pipeline
Importance: High

Dear PNPLD / GPD, FIMLD, and Region 8 attorneys:

BLUF: Please review and reply w/ comments ASAP.

The attached memo outlines a desire by the State of North Dakota to vacate the location where people are protesting against the Dakota Access Pipeline in anticipation of major flooding. They also want to clean the area after everyone is moved out and before the flooding.

There is one section for GPD and another section for FIMA all the way at the end.

Ray

Raymond K Shin
202-212-7028 (Desk)
202-704-8152 (Cell)

From: Nadeau, Robert
Sent: Thursday, January 26, 2017 12:33
To: Hall, Daniel F <Daniel.Hall@fema.dhs.gov>; Van Blarcum, Anna Marie <AnnaMarie.VanBlarcum@fema.dhs.gov>; Forbes, Melissa <Melissa.Forbes@fema.dhs.gov>; Payne, Matthew S <Matthew.Payne@fema.dhs.gov>; Shin, Raymond <raymond.shin@fema.dhs.gov>; Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>
Cc: Breslin, Thomas <Thomas.Breslin@fema.dhs.gov>; Tennyson, Stephanie <stephanie.tennyson@fema.dhs.gov>; Cychosz, Rachel <Rachel.Cychosz@fema.dhs.gov>; Fish, Kristen <kristen.fish@fema.dhs.gov>; FEMA-ActionOffice-OCC <FEMA-ActionOffice-OCC@fema.dhs.gov>; FEMA-ActionOffice-EA <FEMA-ActionOffice-EA@fema.dhs.gov>; Vick, Hannah <Hannah.Vick@fema.dhs.gov>
Subject: Request for expedited review of response to DHS request - Dakota Access Pipeline
Importance: High

A request was submitted to the Department of Homeland Security on January 25, 2017, from the State of North Dakota to have Border Patrol agents support in a law enforcement capacity at three (3) checkpoints with the goal of limiting an additional influx of protestors and items from entering a protestor camp for the Dakota Access Pipeline. The approximate population of the camp is 500.

The State's concern – which is shared by the Standing Rock Sioux Tribal Nation – stem from anticipation of major flooding in the next 40 days within the protest area. Both parties wish for a peaceful departure by protestors to avoid this risk. Once protestors vacate the area, the State has indicated that the Army Corps of Engineers has plans to come in and clean up the area from the waste/garbage prior to the flooding occurring.

Attached memo for immediate review.

Request by 12:45 pm or asap.

Robert Nadeau, CEM
Acting Director, Intergovernmental Affairs Division
FEMA Office of External Affairs

500 C St. SW
Washington D.C. 20472
Desk 202-212-5193
Cell 202-285-7835
Robert.Nadeau@fema.dhs.gov

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From: Americanos, Christopher
Sent: 26 Jan 2017 13:46:04 -0500
To: Dick, Jennifer
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

I am also reviewing.

Chris Americanos | Assistant Regional Counsel | FEMA – Region VIII, Denver, CO | 303-231-1889 | (C) 303-551-3999

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From: Dick, Jennifer
Sent: Thursday, January 26, 2017 11:46 AM
To: Shin, Raymond <raymond.shin@fema.dhs.gov>; Clifford, Chad <Chad.Clifford@fema.dhs.gov>; Brummett, David <David.Brummett@fema.dhs.gov>; OCC PNPLD GPD <OCCPNPLDGPD@FEMA.DHS.GOV>; Fried, Jordan <Jordan.Fried@fema.dhs.gov>; Shedd, Kristen <Kristen.Shedd@fema.dhs.gov>; Adamcik, Carol Ann <CarolAnn.Adamcik@fema.dhs.gov>; Saltalamachea, Michael <michael.saltalamachea@fema.dhs.gov>; Americanos, Christopher <Christopher.Americanos@fema.dhs.gov>
Cc: OCC LC <OCCLC@fema.dhs.gov>
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

Minor edits/comments attached.

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
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Sent: Thursday, January 26, 2017 10:52 AM
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Cc: OCC LC <OCCLC@fema.dhs.gov>
Subject: FW: Request for expedited review of response to DHS request - Dakota Access Pipeline
Importance: High

Dear PNPLD / GPD, FIMLD, and Region 8 attorneys:

BLUF: Please review and reply w/ comments ASAP.

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Ray

Raymond K Shin
202-212-7028 (Desk)
202-704-8152 (Cell)

From: Nadeau, Robert
Sent: Thursday, January 26, 2017 12:33
To: Hall, Daniel F <Daniel.Hall@fema.dhs.gov>; Van Blarcum, Anna Marie <AnnaMarie.VanBlarcum@fema.dhs.gov>; Forbes, Melissa <Melissa.Forbes@fema.dhs.gov>; Payne, Matthew S <Matthew.Payne@fema.dhs.gov>; Shin, Raymond <raymond.shin@fema.dhs.gov>; Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>
Cc: Breslin, Thomas <Thomas.Breslin@fema.dhs.gov>; Tennyson, Stephanie <stephanie.tennyson@fema.dhs.gov>; Cychosz, Rachel <Rachel.Cychosz@fema.dhs.gov>; Fish, Kristen <kristen.fish@fema.dhs.gov>; FEMA-ActionOffice-OCC <FEMA-ActionOffice-OCC@fema.dhs.gov>; FEMA-ActionOffice-EA <FEMA-ActionOffice-EA@fema.dhs.gov>; Vick, Hannah <Hannah.Vick@fema.dhs.gov>
Subject: Request for expedited review of response to DHS request - Dakota Access Pipeline
Importance: High

A request was submitted to the Department of Homeland Security on January 25, 2017, from the State of North Dakota to have Border Patrol agents support in a law enforcement capacity at three (3) checkpoints with the goal of limiting an additional influx of protestors and items from entering a protestor camp for the Dakota Access Pipeline. The approximate population of the camp is 500.

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Attached memo for immediate review.

Request by 12:45 pm or asap.

Robert Nadeau, CEM
Acting Director, Intergovernmental Affairs Division

FEMA Office of External Affairs
500 C St. SW
Washington D.C. 20472
Desk 202-212-5193
Cell 202-285-7835
Robert.Nadeau@fema.dhs.gov

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From: Dick, Jennifer
Sent: 26 Jan 2017 18:46:35 +0000
To: Americanos, Christopher
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

The ship has sailed

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

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From: Americanos, Christopher
Sent: Thursday, January 26, 2017 11:46 AM
To: Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

I am also reviewing.

Chris Americanos | Assistant Regional Counsel | FEMA – Region VIII, Denver, CO | 303-231-1889 | (C) 303-551-3999

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From: Dick, Jennifer
Sent: Thursday, January 26, 2017 11:46 AM
To: Shin, Raymond <raymond.shin@fema.dhs.gov>; Clifford, Chad <Chad.Clifford@fema.dhs.gov>; Brummett, David <David.Brummett@fema.dhs.gov>; OCC PNPLD GPD <OCCPNPLDGPD@FEMA.DHS.GOV>; Fried, Jordan <Jordan.Fried@fema.dhs.gov>; Shedd, Kristen <Kristen.Shedd@fema.dhs.gov>; Adamcik, Carol Ann <CarolAnn.Adamcik@fema.dhs.gov>; Saltalamachea, Michael <michael.saltalamachea@fema.dhs.gov>; Americanos, Christopher <Christopher.Americanos@fema.dhs.gov>
Cc: OCC LC <OCCLC@fema.dhs.gov>
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

Minor edits/comments attached.

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
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(303) 563-9230

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Sent: Thursday, January 26, 2017 10:52 AM
To: Clifford, Chad <Chad.Clifford@fema.dhs.gov>; Brummett, David <David.Brummett@fema.dhs.gov>; OCC PNPLD GPD <OCCPNPLDGPD@FEMA.DHS.GOV>; Fried, Jordan <Jordan.Fried@fema.dhs.gov>; Shedd, Kristen <Kristen.Shedd@fema.dhs.gov>; Adamcik, Carol Ann <CarolAnn.Adamcik@fema.dhs.gov>; Saltalamachea, Michael <michael.saltalamachea@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>; Americanos, Christopher <Christopher.Americanos@fema.dhs.gov>
Cc: OCC LC <OCCLC@fema.dhs.gov>
Subject: FW: Request for expedited review of response to DHS request - Dakota Access Pipeline
Importance: High

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Ray

Raymond K Shin
202-212-7028 (Desk)
202-704-8152 (Cell)

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To: Shin, Raymond;Clifford, Chad;Brummett, David;OCC PNPLD GPD;Fried, Jordan;Shedd, Kristen;Adamcik, Carol Ann;Saltalamachea, Michael;Americanos, Christopher
Cc: OCC LC
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline
Attachments: BM - ND State Tribal Nation Request - 1.26.17.jmd.docx

Minor edits/comments attached.

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

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Ray

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202-704-8152 (Cell)

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Cc: Breslin, Thomas <Thomas.Breslin@fema.dhs.gov>; Tennyson, Stephanie <stephanie.tennyson@fema.dhs.gov>; Cychosz, Rachel <Rachel.Cychosz@fema.dhs.gov>; Fish, Kristen <kristen.fish@fema.dhs.gov>; FEMA-ActionOffice-OCC <FEMA-ActionOffice-OCC@fema.dhs.gov>; FEMA-ActionOffice-EA <FEMA-ActionOffice-EA@fema.dhs.gov>; Vick, Hannah <Hannah.Vick@fema.dhs.gov>
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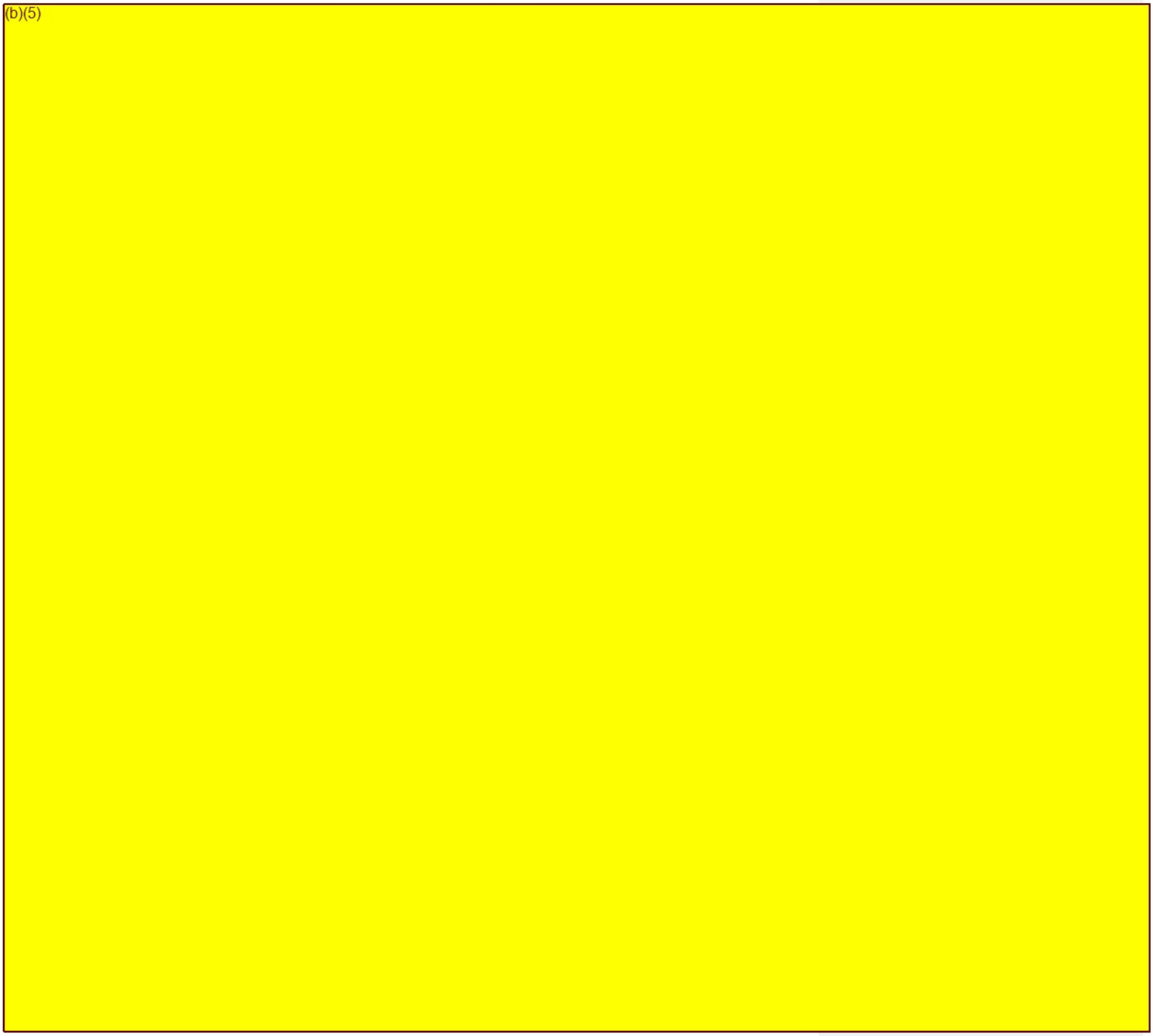
Robert Nadeau, CEM
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Washington D.C. 20472
Desk 202-212-5193
Cell 202-285-7835
Robert.Nadeau@fema.dhs.gov


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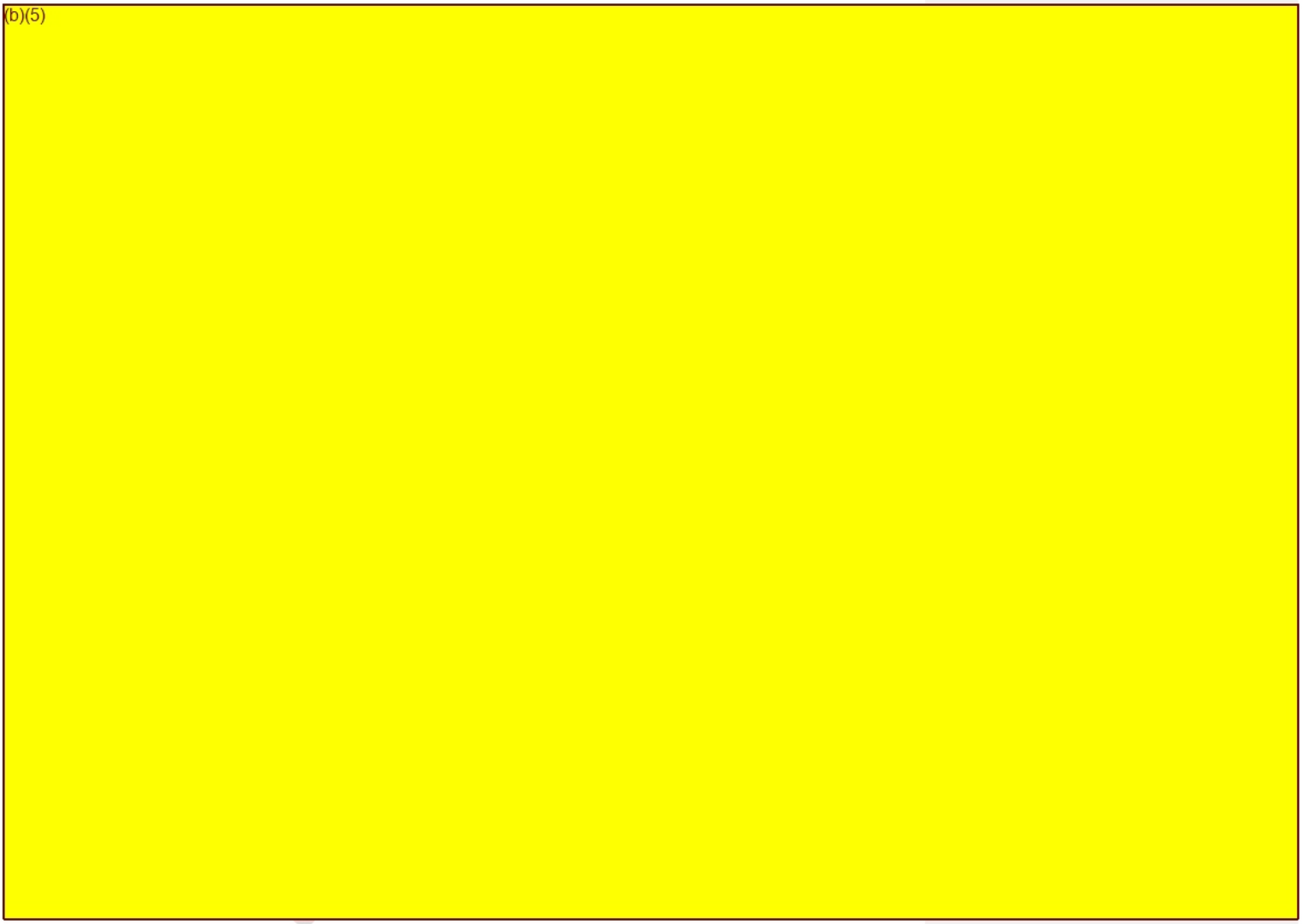


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(b)(5)



(b)(5)



From: Dick, Jennifer
Sent: 26 Jan 2017 18:45:51 +0000
To: Americanos, Christopher
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

I just sent up.

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

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From: Americanos, Christopher
Sent: Thursday, January 26, 2017 11:38 AM
To: Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

Shall I also review?

Chris Americanos | Assistant Regional Counsel | FEMA – Region VIII, Denver, CO | 303-231-1889 | (C) 303-551-3999

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From: Dick, Jennifer
Sent: Thursday, January 26, 2017 10:59 AM
To: Americanos, Christopher <Christopher.Americanos@fema.dhs.gov>
Subject: FW: Request for expedited review of response to DHS request - Dakota Access Pipeline

Looking at this now

Jennifer Dick
Regional Counsel
(303) 563-9230

From: Shin, Raymond
Sent: Thursday, January 26, 2017 12:52:11 PM
To: Clifford, Chad; Brummett, David; OCC PNPLD GPD; Fried, Jordan; Shedd, Kristen; Adamcik, Carol Ann; Saltalamachea, Michael; Dick, Jennifer; Americanos, Christopher
Cc: OCC LC
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Robert.Nadeau@fema.dhs.gov

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From: Americanos, Christopher
Sent: 26 Jan 2017 13:38:22 -0500
To: Dick, Jennifer
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

Shall I also review?

Chris Americanos | Assistant Regional Counsel | FEMA – Region VIII, Denver, CO | 303-231-1889 | (C) 303-551-3999

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Subject: FW: Request for expedited review of response to DHS request - Dakota Access Pipeline

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Jennifer Dick
Regional Counsel
(303) 563-9230

From: Shin, Raymond
Sent: Thursday, January 26, 2017 12:52:11 PM
To: Clifford, Chad; Brummett, David; OCC PNPLD GPD; Fried, Jordan; Shedd, Kristen; Adamcik, Carol Ann; Saltalamachea, Michael; Dick, Jennifer; Americanos, Christopher
Cc: OCC LC
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From: Shedd, Kristen
Sent: 26 Jan 2017 13:36:38 -0500
To: Shin, Raymond;Clifford, Chad;Brummett, David;OCC PNPLD GPD;Fried, Jordan;Adamcik, Carol Ann;Saltalamachea, Michael;Dick, Jennifer;Americanos, Christopher
Cc: OCC LC
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

I have forwarded to my program folks for verification of factual statements in final paragraph.

Kristen Shedd, OCC-FIMLD
(202) 257-9747
Sent from my iFEMA mobile device.

From: Shin, Raymond
Sent: Thursday, January 26, 2017 12:52:11 PM
To: Clifford, Chad; Brummett, David; OCC PNPLD GPD; Fried, Jordan; Shedd, Kristen; Adamcik, Carol Ann; Saltalamachea, Michael; Dick, Jennifer; Americanos, Christopher
Cc: OCC LC
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From: Shin, Raymond
Sent: 26 Jan 2017 13:32:17 -0500
To: Dick, Jennifer
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

I see what you're saying. Sorry again; I don't have anything else. I'll stand by for your comments.

Ray

Raymond K Shin
202-212-7028 (Desk)
202-704-8152 (Cell)

From: Dick, Jennifer
Sent: Thursday, January 26, 2017 13:31
To: Shin, Raymond <raymond.shin@fema.dhs.gov>
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

The draft indicated State had requested border patrol support so I was assuming the State submitted something in writing—that would give additional context/background. If not, okay. I'll send my very minor edits/comments.

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
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From: Shin, Raymond
Sent: Thursday, January 26, 2017 11:28 AM
To: Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

Hi Jennifer,

Do you mean the State's request for HMGP or the other grant funds? I don't have any other materials to share except my original attachment. Sorry.

Ray

Raymond K Shin
202-212-7028 (Desk)

202-704-8152 (Cell)

From: Dick, Jennifer
Sent: Thursday, January 26, 2017 13:24
To: Shin, Raymond <raymond.shin@fema.dhs.gov>
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

Hi,

I'm looking at right now—do you have a copy of the State request? Thanks,

Jennifer Dick, Regional Counsel
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Sent: Thursday, January 26, 2017 10:52 AM
To: Clifford, Chad <Chad.Clifford@fema.dhs.gov>; Brummett, David <David.Brummett@fema.dhs.gov>; OCC PNPLD GPD <OCCPNPLDGPD@FEMA.DHS.GOV>; Fried, Jordan <Jordan.Fried@fema.dhs.gov>; Shedd, Kristen <Kristen.Shedd@fema.dhs.gov>; Adamcik, Carol Ann <CarolAnn.Adamcik@fema.dhs.gov>; Saltalamachea, Michael <michael.saltalamachea@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>; Americanos, Christopher <Christopher.Americanos@fema.dhs.gov>
Cc: OCC LC <OCCLC@fema.dhs.gov>
Subject: FW: Request for expedited review of response to DHS request - Dakota Access Pipeline
Importance: High

Dear PNPLD / GPD, FIMLD, and Region 8 attorneys:

BLUF: Please review and reply w/ comments ASAP.

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Ray

Raymond K Shin
202-212-7028 (Desk)

202-704-8152 (Cell)

From: Nadeau, Robert
Sent: Thursday, January 26, 2017 12:33
To: Hall, Daniel F <Daniel.Hall@fema.dhs.gov>; Van Blarcum, Anna Marie <AnnaMarie.VanBlarcum@fema.dhs.gov>; Forbes, Melissa <Melissa.Forbes@fema.dhs.gov>; Payne, Matthew S <Matthew.Payne@fema.dhs.gov>; Shin, Raymond <raymond.shin@fema.dhs.gov>; Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>
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Request by 12:45 pm or asap.

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Cell 202-285-7835
Robert.Nadeau@fema.dhs.gov


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From: Dick, Jennifer
Sent: 26 Jan 2017 18:31:11 +0000
To: Shin, Raymond
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

The draft indicated State had requested border patrol support so I was assuming the State submitted something in writing—that would give additional context/background. If not, okay. I'll send my very minor edits/comments.

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

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From: Shin, Raymond
Sent: Thursday, January 26, 2017 11:28 AM
To: Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

Hi Jennifer,

Do you mean the State's request for HMGP or the other grant funds? I don't have any other materials to share except my original attachment. Sorry.

Ray

Raymond K Shin
202-212-7028 (Desk)
202-704-8152 (Cell)

From: Dick, Jennifer
Sent: Thursday, January 26, 2017 13:24
To: Shin, Raymond <raymond.shin@fema.dhs.gov>
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

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From: Shin, Raymond
Sent: 26 Jan 2017 13:50:11 -0500
To: Stallings, Michael;Dick, Jennifer
Cc: OCC PNPLD GPD
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

Thanks, Jennifer. I'll send your comments (and Mike's add'l comment on riot suppression).

Your very quick turnaround is very much appreciated.

Ray

Raymond K Shin
202-212-7028 (Desk)
202-704-8152 (Cell)

From: Stallings, Michael
Sent: Thursday, January 26, 2017 13:48
To: Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>; Shin, Raymond <raymond.shin@fema.dhs.gov>
Cc: OCC PNPLD GPD <OCCPNPLDGPD@FEMA.DHS.GOV>
Subject: RE: Request for expedited review of response to DHS request - Dakota Access Pipeline

Jennifer, great comment on page 2. Ray, if not too late, perhaps put "riot suppression" in quotations marks – that is the actual phrase used by the Authorized Equipment List (AEL).

Thanks, Mike

From: Dick, Jennifer
Sent: Thursday, January 26, 2017 1:46 PM
To: Shin, Raymond <raymond.shin@fema.dhs.gov>; Clifford, Chad <Chad.Clifford@fema.dhs.gov>; Brummett, David <David.Brummett@fema.dhs.gov>; OCC PNPLD GPD <OCCPNPLDGPD@FEMA.DHS.GOV>; Fried, Jordan <Jordan.Fried@fema.dhs.gov>; Shedd, Kristen <Kristen.Shedd@fema.dhs.gov>; Adamcik, Carol Ann <CarolAnn.Adamcik@fema.dhs.gov>; Saltalamachea, Michael <michael.saltalamachea@fema.dhs.gov>; Americanos, Christopher <Christopher.Americanos@fema.dhs.gov>
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Minor edits/comments attached.

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From: Floyd, Megan
Sent: 31 Jan 2017 16:43:47 -0500
To: Dick, Jennifer;Greff, Stacie
Subject: ACTION: Review for Senate Indian Affairs Committee Input

Stacie and Jen –

Below is the background information that we pulled together for the Senate Indian Affairs Committee Hearing scheduled for next week. Please let me know if you have any changes. It is due back to HQ by COB today. I apologize for the quick turnaround time.

1) Standing Rock: Dakota Access Pipeline Protests - There have been no requests for FEMA assistance from the Tribe or the State

- Background: On April 1, 2016 people began to gather and protest the Dakota Access Pipeline just north of the Standing Rock Reservation border. Protest crowds were estimated at 10,000 plus (NYTimes) during their peak. Since December 2016, when the Army Corps of Engineers did not approve the easement necessary to permit the pipeline to cross under Lake Oahe, the numbers at the protest camps have fallen to around 500 (+/-). Due to the significant crowd size, North Dakota provided additional law enforcement resulting in substantial costs to the State office of Homeland Security. In October, the State of North Dakota started to talk about EMAC to support the law enforcement efforts. Ultimately other states did provide support to the State of ND. In late September, Senator Hoeven spoke with former administer Fugate regarding the need to provide financial assistance to the State to support law enforcement. The State has not made any official requests of FEMA for assistance. The Standing Rock Sioux Tribe has not reached out to FEMA for assistance either. At this time, both the Standing Rock Sioux Tribe and the State of North Dakota have called on protestors to leave the protest site and return home based on concerns for spring flooding and the impacts of the protest camp on the local community. FEMA is not engaged on the issue beyond passive monitoring. See most recent news from Senator Hoeven below.

2) Rocky Boy's: OIG Audit

- In 2010 The Chippewa Cree of the Rocky Boy's reservation was a direct grantee for DR-1922. Following the event there have been numerous issues with tribal officials misusing FEMA and other federal funds. The Montana US Attorney's office and the Department of the Interior OIG have prosecuted several individuals. THE DHS OIG has also been involved and is looking specifically at the misuse of FEMA Public Assistance grants. The OIG has been involved with audits of DR-1922 for several years. Currently they are auditing Project Worksheets related to a health clinic that was destroyed during the disaster.

3) EMPG: Funds not available directly to tribal governments

- Tribes across Region VIII has been vocal about the lack of funding to support tribal emergency management programs in Indian Country. EMPG funds are available to states to support their emergency management programs and in some cases some funds trickle down to tribes, however, the tribes do not have direct access to these funds. The tribes in Region VIII have expressed concerns about the requirements for receiving a direct Presidential Emergency or

Major Disaster declaration because they do not have access to grant program funds to support the development of their emergency management programs and internal capacity.

Additional BIA officers to be dispatched to ND to assist with DAPL protests

KFYR-TV, Bismarck
Posted: Fri 5:00 PM, Jan 27, 2017 |
Updated: Fri 5:02 PM, Jan 27, 2017

WASHINGTON, D.C. - Senator John Hoeven announced Friday the Bureau of Indian Affairs has dispatched 20 additional officers to North Dakota to help state and local law enforcement at the Dakota Access Pipeline protest sites.

This will bring the total number of BIA officers at the site to 40.

"We're working to get more federal law enforcement assistance to work with state and local law enforcement officers. The BIA has committed to provide an additional 20 officers, who should be there this weekend. In addition, we're working with both the Department of Homeland Security and the Department of Justice to provide additional resources as well," Hoeven said.

From: Krikava, Richard
Sent: Thursday, January 26, 2017 3:17:58 PM
To: Norris, Rachael; Deshong, Casey; Hunter, Cynthia; Cappannari, Michael L; Shulman, Dan; Golding, Noah; Rigby, Corey; Murphy, Kendall; Alvarado, Diego
Cc: Trytten, Dana; Booth, Milo
Subject: Senate Indian Affairs Committee

Team:

As you may have heard, we've got a hearing coming up in the Senate Indian Affairs Committee on Feb. 8. In an effort to prepare our witness for questions that may be lobbed at him, could you please take a look at the list of Senators below, and let me know if there are any boogeyman issues related to FEMA out there that might flare up in the hearing (related to Indian Country or otherwise)?

I'm just looking for a few lines on the issues that might be out there, and if we need to dig in deeper, we can go from there.

Something by COB Tuesday, Jan. 31?

Thanks, and call me if you have any questions. (Also, I'm sure our Tribal Branch here at HQ are pinging your Regional Tribal Liaisons, too.)

REPUBLICANS

John Hoeven, Member - Chairman (ND)

John Barrasso, Member (WY)
John McCain, Member (AZ)
Lisa Murkowski, Member (AK)
James Lankford, Member (OK)
Steve Daines, Member (MT)
Michael Crapo, Member (ID)
Jerry Moran, Member (KS)

DEMOCRATS

Tom Udall, Member - Vice Chairman (NM)
John Tester, Member (MT)
Maria Cantwell, Member (WA)
Al Franken, Member (MN)
Brian Schatz, Member (HI)
Heidi Heitkamp, Member (ND)
Catherine Cortez Masto, Member (NV)

Richard A. Krikava
FEMA, Congressional Affairs
202-445-8820
richard.krikava@fema.dhs.gov



From: Dragani, Nancy
Sent: 14 Feb 2017 14:09:07 -0500
To: Greff, Stacie;Dick, Jennifer;Deal, Timothy;Carroll, Thomas
Subject: FW: Dakota Access Pipeline Contingency Meeting - 2/15

Latest from Josh. Of course this could change before I hit send.

I called Greg; he was heading into a meeting and said he'd call me back later.

Regards, Nancy

From: Dozor, Joshua
Sent: Tuesday, February 14, 2017 11:29 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Gruber, Corey <Corey.Gruber@fema.dhs.gov>
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

None. I think I successfully took this off the deliberate track to Stafford and it might only be a call among LE agencies. Will verify

Joshua C Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
202-631-6877

From: Dragani, Nancy
Sent: Tuesday, February 14, 2017 11:59:06 AM
To: Dozor, Joshua; Gruber, Corey
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Josh

Any new information on the status of North Dakota's potential ask for Federal LE and the potential for regional coordination efforts? I'm in SD at a JFO this week so am on and off email as time allows.

Regards, Nancy

From: Dozor, Joshua
Sent: Monday, February 13, 2017 4:59 PM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Gruber, Corey <Corey.Gruber@fema.dhs.gov>
Subject: FW: Dakota Access Pipeline Contingency Meeting - 2/15

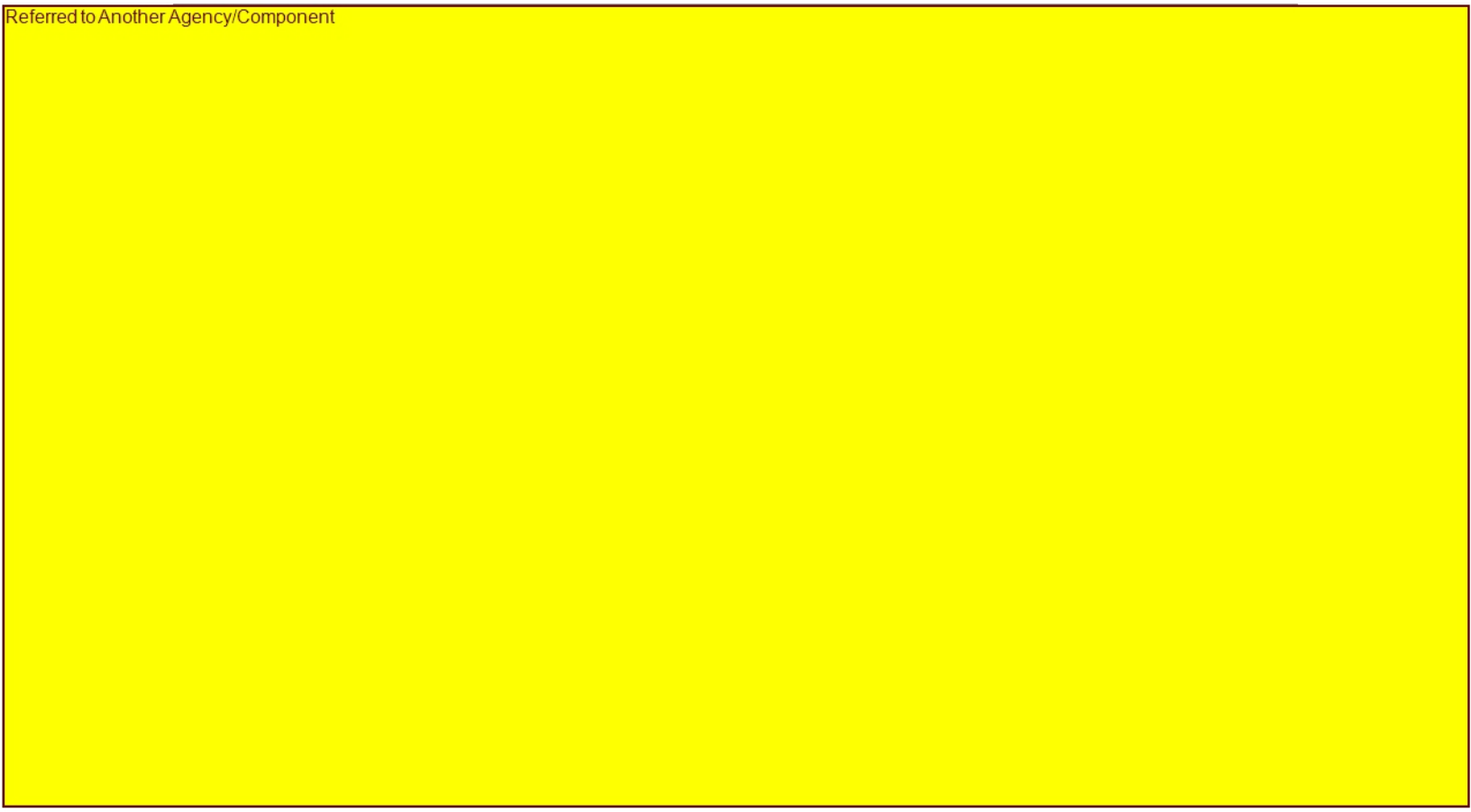
FYI
During the NSC's meeting today on the Dakota Pipeline Access protests, the Stafford Act issue seemed to subside. As you can see from the attached summary of conclusions, the White House will be convening a call with the State TAG, the local Sheriff, and Fed Law Enforcement

agencies to ascertain their requirements. The lead federal agency to provide supplemental law enforcement support is still uncertain.

Let's let the White House and LE Agencies remain on point. I mentioned FEMA stands ready to participate in regional/local coordination efforts and to better understand when emergency assistance might be needed. We'll touch base tomorrow on our attendance and preparations.

- Josh

Joshua C. Dozor
Associate Administrator for Policy and Program Analysis (Acting)
Federal Emergency Management Agency
Cell: 202-631-6877



From: Dick, Jennifer
Sent: 16 Feb 2017 20:13:08 +0000
To: Adamcik, Carol Ann;Parker, Robert;Allen, Jotham;Martinet, Mary E
Subject: FW: Dakota Access Pipeline Contingency Meeting - 2/15

Fyi. ARA Dragani will be in ND tomorrow –see below dialogue between her and HQ, including CC.

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

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From: Dragani, Nancy
Sent: Thursday, February 16, 2017 1:00 PM
To: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>; Bibo, David <David.Bibo@fema.dhs.gov>; Gruber, Corey <Corey.Gruber@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Depalo, Lee <lee.depalo@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>; Stensgaard, Theresa <Theresa.Stensgaard@fema.dhs.gov>
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Josh, Dave, Corey and Adrian,

I am meeting with Greg Wilz,, ND EMA director at 0830 tomorrow morning. At 1000, I plan to attend a UCG with the TAG, Greg, the Governor and other senior leaders. My intent is to stay firmly within the support role but I'd welcome any additional input on how to stay within the lines.

Regards, Nancy

From: Dozor, Joshua
Sent: Thursday, February 16, 2017 6:18 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>; Bibo, David <David.Bibo@fema.dhs.gov>; Gruber, Corey <Corey.Gruber@fema.dhs.gov>
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Completely agree Nancy. It's your call and AOR. We'll stand by.
We met the due out for yesterday so I think it's ok if we get back to the White House by Friday.

Joshua C Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
202-631-6877

From: Dragani, Nancy
Sent: Wednesday, February 15, 2017 8:43:58 PM
To: Dozor, Joshua; Sevier, Adrian; Bibo, David; Gruber, Corey
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Josh

I'll reach back out to Greg first thing tomorrow morning. In North Dakota, the EMA is part of the Adjutant General's Department; Greg is a retired Army NDNG Colonel. If possible, I'd like to talk with him about the Governor's request before I (or someone else) goes to the TAG. Since I'm in SD, I could also drive up to ND tomorrow and have a face to face meeting with Greg if you think that would be helpful. Up to these recently, I've been supporting from arms length due to the state v tribe concern but can get more directly engaged if needed.

Thoughts?

Sent from my iFEMA mobile device.

From: Dozor, Joshua
Sent: Wednesday, February 15, 2017 7:44:10 PM
To: Cramer, Drew W. EOP/NSC; Gautier, Peter W. EOP/NSC; (b)(6) EOP/NSC
Cc: Payne, Matthew S; (b)(6) Isacco, Michael; Sevier, Adrian; Dragani, Nancy
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

I'll check with the Region who would know about the State's planning - this is one of the area's top risk after all. The Federal Region's primary plan we would use for this situation will be their All Hazard Plan developed in concert with all the states.

Joshua C Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
202-631-6877

Referred to Another Agency/Component

Referred to Another Agency/Component

-----Original Message-----
From: Dozor, Joshua [mailto:Joshua.Dozor@fema.dhs.gov]
Sent: Wednesday, February 15, 2017 7:28 PM
To: Cramer, Drew W. EOP/NSC <(b)(6)@nsc.eop.gov>; Gautier, Peter W. EOP/NSC <(b)(6)@nsc.eop.gov>; (b)(6) EOP/NSC <(b)(6)@nsc.eop.gov>
Cc: Payne, Matthew S <Matthew.Payne@fema.dhs.gov>; (b)(6)@HQ.DHS.GOV>; Isacco, Michael <(b)(6)@HQ.DHS.GOV>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Subject: RE: Dakota Access Pipeline Contingency Meeting - 2/15

Pete, Drew and Courtenay:

Here are FEMA's responses to the questions presented at today's meeting due today.

1. The FEMA Region has identified two individuals who can immediately support North Dakota: the Region VIII Response Ops Chief and the designated Region LNO to the State. Both are familiar with planning factors and can help interpret ESF 8 and 9 requirements, as well as understand how to reach back to those ESFs if necessary.

2. The region's liaison to North Dakota has maintained regular contact with the State. To date, North Dakota has indicated they do not need assistance from FEMA for planning support.

3. The state director, Greg Wilz, has been in place for 11 years. He was retained by the Governor and he is very knowledgeable about the disaster declaration criteria and the process. The FEMA Regional Administrator (Nancy Dragani) had spoken with Greg as recently as yesterday when FEMA had offered planning support and he indicated he did not feel that was necessary at this time. According to Greg, they have worked up multiple contingency plans to address flooding, renewed protests and environmental contamination.

-Doz

Joshua C Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
202-631-6877

Page 1449

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

Page 1450

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

From: Dick, Jennifer
Sent: 17 Feb 2017 00:22:17 +0000
To: Parker, Robert
Subject: FW: DAPL / Call with Gov. Burgum

I left you a voice mail—nothing urgent. The program that keeps coming up as the proper authority is DOJ's EFLEA. I would agree after looking at that fact sheet and past uses of it. Do you know what DOJ is saying about the availability/non-availability of this? I suspect Stafford keeps coming up and being asked about by the State and others (e.g. personnel from other fed agencies) because there is no traction with DOJ and their programs/assistance—therefore curious if you've heard anything up there on that front? Thanks,

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

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From: Dick, Jennifer
Sent: Thursday, February 16, 2017 3:53 PM
To: Adamcik, Carol Ann <CarolAnn.Adamcik@fema.dhs.gov>
Subject: RE: DAPL / Call with Gov. Burgum

Yes—I would agree Stafford not appropriate. DOJ's Emergency Federal Law Enforcement Assistance (EFLEA) program seems the most on point for this type of situation. Not sure whether the State has been pushing for assistance under EFLEA and/or what DOJ's response/posture has been on utilizing that program. I might ask Bob if he's heard anything on that through his channels.

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

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From: Adamcik, Carol Ann
Sent: Thursday, February 16, 2017 3:28 PM
To: Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Subject: RE: DAPL / Call with Gov. Burgum

Thanks Jen. And I know Adrian is pushing hard for no Stafford Act dec.

Carol Ann Adamcik
Principal Deputy Associate Chief Counsel, RFOLD, FEMA Office of Chief Counsel

Office: 202-646-7971 Blackberry: 202-674-8488
CarolAnn.Adamcik@fema.dhs.gov

From: Dick, Jennifer
Sent: Thursday, February 16, 2017 5:03 PM
To: Adamcik, Carol Ann <CarolAnn.Adamcik@fema.dhs.gov>
Subject: FW: DAPL / Call with Gov. Burgum

Just fyi—I think the rest of the HQ OCC crew received/saw earlier today.

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

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From: Greff, Stacie
Sent: Thursday, February 16, 2017 2:55 PM
To: Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Subject: DAPL / Call with Gov. Burgum

From: Tennyson, Stephanie
Sent: Thursday, February 16, 2017 2:40 PM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: FW: DAPL / Call with Gov. Burgum

For info and background.

From: Parker, Robert
Sent: Thursday, February 16, 2017 11:27 AM
To: Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>
Cc: Doolin, Joel <joel.doolin@fema.dhs.gov>; Cameron, Michael K <Michael.Cameron@fema.dhs.gov>; Hall, Daniel F <Daniel.Hall@fema.dhs.gov>; Tennyson, Stephanie <stephanie.tennyson@fema.dhs.gov>; Martinet, Mary E <Mary.Martinet@fema.dhs.gov>
Subject: FW: DAPL / Call with Gov. Burgum

FYI: I spoke at length this morning with Tim Quinn, Executive Director, U.S. Customs and Border Protection, Office of Intergovernmental Public Liaison, regards the North Dakota pipeline situation and possible FEMA and CBP involvement. CBP was asking for this discussion based on recent phone conferences the CBP Deputy Commissioner had with the North Dakota Governor.

Our discussion focused on the basics of Stafford Act operations including mission assignments, PPD 44 non-Stafford Act operations, and in this case the fact that it was EXTREMELY unlikely there would be a Stafford Declaration given the existence of other specific authorities (EFLEA) to provide law enforcement support. I think he was appreciative and has a much better understanding. He has my contact information and I encouraged him to reach back if there's a need for follow-up discussions.

Robert Parker I **Deputy Associate Chief Counsel I FEMA/OCC/Response I (d) 202-646-4265 (m) 202-834-1226**
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Referred to Another Agency/Component

From: Parker, Robert
Sent: Wednesday, February 15, 2017 4:34:49 PM
To: QUINN, TIMOTHY
Subject: RE: DAPL / Call with Gov. Burgum

Hello Tim: Let me know when it would be convenient to discuss by phone?

Robert Parker I **Deputy Associate Chief Counsel I FEMA/OCC/Response I (d) 202-646-4265 (m) 202-834-1226**
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From: Tennyson, Stephanie
Sent: Wednesday, February 15, 2017 9:47 AM
To: QUINN, TIMOTHY (b)(6) @cbp.dhs.gov>; Parker, Robert <Robert.Parker@fema.dhs.gov>

Cc: HYLAND, MARY (b)(6) @cbp.dhs.gov>; SCHMIDT, PATRICK R <patrick.r.schmidt@cbp.dhs.gov>
Subject: RE: DAPL / Call with Gov. Burgum

Hi Tim,
Connecting you here with Bob Parker from our Chief Counsel's office. He is Deputy Associate Chief Counsel for Response. His contact information is below.
Thanks,
Stephanie

Robert Parker I Deputy Associate Chief Counsel I FEMA/OCC/Response I (d) 202-646-4265
(m) 202-834-1226

Referred to Another Agency/Component

From: Tennyson, Stephanie
Sent: Tuesday, February 14, 2017 11:00:20 PM
To: (b)(6) ; Clark, Alaina
Cc: HYLAND, MARY; SCHMIDT, PATRICK R
Subject: RE: DAPL / Call with Gov. Burgum

Hi Tim,
I'm happy to connect someone in FEMA legal with your legal. Not sure it's as simple as FEMA covering the costs.
Thanks,
Steph

Referred to Another Agency/Component

(b)(6)@cbp.dhs.gov>
Subject: RE: DAPL / Call with Gov. Burgum

I was just about to send you a read out from the call. It went well. Gov. Burgum was very thankful for the AMO support that CBP continues to provide and for the two USBP deployments to DAPL late last year. C2 explained the appropriations issue with the use of USBP resources; namely that there must be an existing emergency (threat to life, public safety, property). C2 provided some example of what normally constitutes emergency situations for which we would provide assistance to state and local government – vehicle accidents, hostage situations, etc. The Governor understood. He asked if our analysis would change if FEMA declared it an emergency situation. We said we would research that with our legal counsel. Since the call we have learned that CBP has assisted in declared emergency situations before but that FEMA covered the costs. I want to drill down on that a little before we coordinate a response back to the governor.

He indicated that he would be grateful for any assistance we could provide and did not focus on the specific request in his letter (100 BPAs for 90 days). We made him aware of our limited staffing in the ND area. He expressed disappointment/frustration that the U.S. Marshal Service was not assisting here. The governor contrasted the USMS response to DAPL with the agency's response in 2014 to the Oregon National Wildlife Refuge standoff.

Overall good call. We will do some more research on the Governor's question about a "declared emergency" and will lash up with you before we respond to ND.

Please let me know if you have any questions.

TQ

From: Clark, Alaina
Sent: Tuesday, February 14, 2017 4:23 PM
To: (b)(6)@cbp.dhs.gov>; Tennyson, Stephanie <stephanie.tennyson@fema.dhs.gov>
Cc: HYLAND, MARY (b)(6)@cbp.dhs.gov>
Subject: RE: DAPL / Call with Gov. Burgum

Hi Tim,
Wanted to check in and see how the call went with the Governor earlier today.
Thanks,
Alaina

Referred to Another Agency/Component

From: Tennyson, Stephanie
Sent: Tuesday, February 14, 2017 10:01 AM
To: (b)(6) @cbp.dhs.gov>; Clark, Alaina <(b)(6) @hq.dhs.gov>
Cc: HYLAND, MARY (b)(6) @cbp.dhs.gov>
Subject: RE: DAPL / Call with Gov. Burgum

Just heard from the Region. ND asked for the template on Fri but said they were not going to submit (though that came from the Dpty EM Dir and was a couple of days ago). The External Affairs team is not aware of any submission for an emergency dec from from ND.
We did have CA come in after 10pm last night. Please let me know if you need anything else.

Stephanie Tennyson
Acting Director, External Affairs
Federal Emergency Management Agency
(O) 202.212.1740 | (M) 202.309.4257



Download the FEMA App today!

From: Tennyson, Stephanie
Sent: Tuesday, February 14, 2017 9:22 AM
To: (b)(6) @cbp.dhs.gov>; Clark, Alaina <(b)(6) @hq.dhs.gov>
Cc: HYLAND, MARY <(b)(6) @cbp.dhs.gov>
Subject: RE: DAPL / Call with Gov. Burgum

We've not seen an emergency dec request from ND come up to HQ as of yet. I'm pinging the region out in Denver now, and will circle back.

Referred to Another Agency/Component

From: Clark, Alaina
Sent: Tuesday, February 14, 2017 9:05 AM
To: (b)(6) @cbp.dhs.gov>
Cc: HYLAND, MARY <(b)(6) @cbp.dhs.gov>; Tennyson, Stephanie <stephanie.tennyson@fema.dhs.gov>
Subject: RE: DAPL / Call with Gov. Burgum

Hi Tim,
No concerns from me- also I heard this morning that the state submitted an emergency declaration around 10pm last night to FEMA. I've looped in Stephanie Tennyson from FEMA so she can provide us with any necessary TPs that we need C2 to have.

Steph- C2 is speaking with the ND Governor in a few hours, can you share any TPs he should have in regards to the emergency declaration that was submitted last night.

Thanks,
Alaina

Referred to Another Agency/Component

From: Dick, Jennifer
Sent: 17 Feb 2017 00:55:36 +0000
To: Americanos, Christopher (Christopher.Americanos@fema.dhs.gov)
Subject: FW: DAPL Prep
Attachments: ARA BACKGROUND AND TPS DAPL 2-16-17.docx, eflea.pdf

Just fyi—please keep close hold: I helped Stacie with the backgrounder for Nancy as she will be in ND tomorrow (driving up from SD). She is meeting with State Director and TAG and then going to the UCG re: pipeline. FEMA posture/position remains the same as we've discussed before—Stafford declaration not appropriate for this situation (where the need is to supplement state law enforcement needs) and other federal agencies have specific authority. Nothing should be required of us tomorrow, but I just wanted you to know. I've been in close contact with Carol Ann and Bob Parker this week and Adrian has also been involved with the issue since it has been discussed/worked at NSC. I'll pass along whatever else I hear tomorrow. Thanks,

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

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From: Greff, Stacie
Sent: Thursday, February 16, 2017 5:22 PM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Dick, Jennifer <Jennifer.Dick@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: DAPL Prep (pasted into email if needed)

ARA North Dakota Background / Talking Points – DAPL Issue:

Potential Questions/Answers:

Q: What about the Stafford Act for an Emergency or Major Declaration?
A: The Stafford Act is not an appropriate approach for this situation.

Q: Why isn't Stafford appropriate?
A: Here are the reasons:

- Stafford is not appropriate where another federal agency has specific authority to address a state need.
  - DOJ has specific authority to declare law enforcement emergencies.
- Stafford also is not appropriate to supplement lack of funding of another federal agency that has the authority to respond.
- Stafford Act has not been approved for recent incidents where states were seeking supplementary law enforcement assistance.
  - June 2016 – Orlando mass shooting. Emergency declaration denied.
  - June 2015 – Baltimore civil unrest. Emergency declaration denied.

- DOJ provided $1M in grant assistance for both events listed above.

Q: Wait, didn't FEMA give a declaration for the Boston Marathon bombing?
A: Yes, FEMA did. However, they provided support for response and security activities, not law enforcement investigations. Of note, DOJ provided assistance through the Emergency Federal Law Enforcement Assistance (EFLEA) grant. ($1.9M)

Q: Hey, what about the LA Riots? FEMA granted assistance.
A: An Emergency Declaration was granted to manage the response to fire hazards, not to manage the enforcement of law.

Q from the Governor: Even though you say that Stafford isn't appropriate, I can ask FEMA for an Emergency Declaration, right?
A: Governor, it is always your right to request assistance through FEMA to the President for a federal disaster declaration. However, this situation does not fit Stafford Act given that the need is for law enforcement.

Q: Can FEMA provide anything if you are saying a declaration is unlikely?
A: FEMA would be able to provide technical assistance with planning if the state sees that as a need.

For your background:

A Major Declaration is specific to natural catastrophe, fire and explosion.

An Emergency Declaration has a broader definition. However, it is still not appropriate based on the above points relating to other agencies' specific authorities and prior declaration precedent.

Emergency Federal Law Enforcement Assistance (EFLEA) grant:
https://www.ncjrs.gov/pdffiles/eflea.pdf

- Federal law enforcement assistance to a state overwhelmed by a law enforcement emergency
- Assistance provided can include "funds, equipment, training, intelligence information, [or] personnel.

Talk about the fact that you have been in touch with Grez Wilz to monitor the situation.

Stress you were in South Dakota supporting their recent disaster and decided to get some on the ground awareness.

Highly recommend that you attend on your own and that Nancy Casper and Jon Huss do not participate. We need to keep this as low-key as we possibly given the situation.

Go in normal dress, not FEMA gear.

Nancy E. Gist, Director
U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

The Emergency Federal Law Enforcement Assistance Program

The Federal Government administers a variety of assistance programs to provide a coordinated response to State and local governments stricken by natural dis- asters. During such extraordinary circumstances, when State or local agencies are incapable of unilaterally coping with the aftermath of a flood, hurricane, tornado, or other natural calamity, the Federal Government has come to their aid with a multiagency response.

Although the Federal Government has programs to assist State and local governments with natural disasters, until 1984 there was no coordinated Federal response for any other type of emergency. A number of events occurring in the late 1970's and early 1980's are examples of the types of unexpected law enforcement emergencies State and local agencies may face: the Atlanta child murders; the Los Angeles Night Stalker, San Francisco Zodiac, and Seattle Green River serial murder investigations; and the Mariel Cuban boatlift. Although the Federal Government's primary law enforcement role is to enforce Federal criminal statutes, it can play an ancillary role by assisting State and local governments with unexpected law enforcement emergencies that overwhelm their capacities to respond.

Program Scope and Purpose

On October 12, 1984, the Emergency Federal Law Enforcement Assistance (EFLEA) Program was enacted into law as part of the Justice Assistance Act of 1984 (Public Law 98–473) and is now administered by the Bureau of Justice Assistance (BJA), Office of Justice Programs, U.S. Department of Justice. Its function is to assist State and/or local units of government in responding to law enforcement emergencies through the provision of Federal law enforcement assistance. The EFLEA Program authorizes the Attorney General to provide funds, equipment, training, intelligence information, and personnel to help alleviate emergency situations. It also authorizes the Director of BJA to assist the Attorney General in providing EFLEA assistance and coordinating program activities.

Congress' intent in passing the EFLEA Program was to create an assistance program to address extraordinary circumstances that have the potential to create serious threats to public safety. Congress limited the number of eligible law enforcement emergencies by restricting applicability to situations in which State and local re- sources have been completely exhausted or are inadequate to deal with a law enforcement emergency. The legislative history of the Justice Assistance Act of 1984 indicates that Congress expected few emergencies to be dire enough to require Federal involvement through EFLEA. The program was never intended to be a routine source of Federal financial assistance for criminal justice activities.

Section 609N(3) of the Justice Assistance Act clearly delineates the purpose of EFLEA and limits its applicability by defining a "law enforcement emergency" as:

> . . . an uncommon situation which requires law enforcement, which is or threatens to become of serious epidemic proportions, and with respect to which State and local resources are inadequate to protect the

lives and property of citizens or to enforce the criminal law, except that such term **does not** [emphasis added] include the perceived need for
planning or other activities related to crowd control

for general public safety projects, or a situation requiring the enforcement of laws associated with scheduled public events, including political conventions and sports events.

The EFLEA Program serves a special purpose in alleviating damage resulting from a law enforcement emergency and providing financial support for actions taken to prevent further losses.

Eligibility for Program Assistance

If a law enforcement emergency exists throughout a State or in part of a State, the State may submit an application for itself or for units of local government to the U.S. Attorney General for EFLEA Program assis- tance. The application must meet certain criteria and be submitted in writing by the Governor in accordance with established EFLEA application guidelines, as de- scribed in the following sections.

Key Determining Factors

The Attorney General evaluates EFLEA Program applications based on the likelihood that the situation will escalate into a law enforcement emergency of epi- demic proportions, posing an imminent threat to public safety. The law enforcement emergency must be of sufficient magnitude to overwhelm the State or local government's ability to respond. Based on these criteria, the Attorney General approves or disapproves funding awards within 10 days after receiving the application.

Application Requirements

The Governor should submit a written application and signed transmittal letter that include the following elements:

- ❑ **Problem.** A description of the nature and extent of the law enforcement emergency, including the specific identification and description of the political and jurisdictional subdivision(s) where the emergency exists.
- ❑ **Resources.** A description of the State and local criminal justice resources available to address the emergency and an explanation of why and to what degree they are insufficient.
- ❑ **Required assistance.** A specific statement of the funds, equipment, training, intelligence information, and/or personnel requested and a description of their intended use.
- ❑ **Other assistance.** Information about any other assistance the State or appropriate unit of government has received or could receive under the provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.
- ❑ **Complete line-item budget.** A budget accompanied by a detailed narrative explaining all costs for which EFLEA funding is requested and showing how such costs were derived.
- ❑ **Signed and dated assurance statement.** A statement certifying compliance with applicable Federal statutes, regulations, policies, guidelines, and requirements.
- ❑ **Certification statements.** Statements concerning lobbying, debarment, suspension, drug-free workplace requirements, and other responsibility matters.
- ❑ **Disclosure of lobbying activities.** A description of any lobbying activities in which the applicant may be engaged, if the amount of the application exceeds
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Bureau of Justice Assistance 633 Indiana Avenue NW. Washington, DC 20531
202–616–2356

FS000034
September 1996

ARA North Dakota Background / Talking Points – DAPL Issue:

Potential Questions/Answers:

Q: What about the Stafford Act for an Emergency or Major Declaration?
A: The Stafford Act is not an appropriate approach for this situation.

Q: Why isn't Stafford appropriate?
A: Here are the reasons:

- Stafford is not appropriate where another federal agency has specific authority to address a state need.
    - DOJ has specific authority to declare law enforcement emergencies.
- Stafford also is not appropriate to supplement lack of funding of another federal agency that has the authority to respond.
- Stafford Act has not been approved for recent incidents where states were seeking supplementary law enforcement assistance.
    - June 2016 – Orlando mass shooting. Emergency declaration denied.
    - June 2015 – Baltimore civil unrest. Emergency declaration denied.
    - DOJ provided $1M in grant assistance for both events listed above.

Q: Wait, didn't FEMA give a declaration for the Boston Marathon bombing?
A: Yes, FEMA did. However, they provided support for response and security activities, not law enforcement investigations. Of note, DOJ provided assistance through the Emergency Federal Law Enforcement Assistance (EFLEA) grant. ($1.9M)

Q: Hey, what about the LA Riots? FEMA granted assistance.
A: An Emergency Declaration was granted to manage the response to fire hazards, not to manage the enforcement of law.

Q from the Governor: Even though you say that Stafford isn't appropriate, I can ask FEMA for an Emergency Declaration, right?
A: Governor, it is always your right to request assistance through FEMA to the President for a federal disaster declaration. However, this situation does not fit Stafford Act given that the need is for law enforcement.

Q: Can FEMA provide anything if you are saying a declaration is unlikely?
A: FEMA would be able to provide technical assistance with planning if the state sees that as a need.

For your background:

A Major Declaration is specific to natural catastrophe, fire and explosion.

An Emergency Declaration has a broader definition. However, it is still not appropriate based on the above points relating to other agencies' specific authorities and prior declaration precedent.

Emergency Federal Law Enforcement Assistance (EFLEA) grant:
https://www.ncjrs.gov/pdffiles/eflea.pdf

- Federal law enforcement assistance to a state overwhelmed by a law enforcement emergency
- Assistance provided can include "funds, equipment, training, intelligence information, [or] personnel.

Talk about the fact that you have been in touch with Grez Wilz to monitor the situation.

Stress you were in South Dakota supporting their recent disaster and decided to get some on the ground awareness.

Highly recommend that you attend on your own and that Nancy Casper and Jon Huss do not participate. We need to keep this as low-key as we possibly given the situation.

Go in normal dress, not FEMA gear.

2/16/17

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

BJA Bureau of Justice Assistance
Fact Sheet

Nancy E. Gist, Director

The Emergency Federal Law Enforcement Assistance Program

The Federal Government administers a variety of assistance programs to provide a coordinated response to State and local governments stricken by natural disasters. During such extraordinary circumstances, when State or local agencies are incapable of unilaterally coping with the aftermath of a flood, hurricane, tornado, or other natural calamity, the Federal Government has come to their aid with a multiagency response.

Although the Federal Government has programs to assist State and local governments with natural disasters, until 1984 there was no coordinated Federal response for any other type of emergency. A number of events occurring in the late 1970's and early 1980's are examples of the types of unexpected law enforcement emergencies State and local agencies may face: the Atlanta child murders; the Los Angeles Night Stalker, San Francisco Zodiac, and Seattle Green River serial murder investigations; and the Mariel Cuban boatlift. Although the Federal Government's primary law enforcement role is to enforce Federal criminal statutes, it can play an ancillary role by assisting State and local governments with unexpected law enforcement emergencies that overwhelm their capacities to respond.

Program Scope and Purpose

On October 12, 1984, the Emergency Federal Law Enforcement Assistance (EFLEA) Program was enacted into law as part of the Justice Assistance Act of 1984 (Public Law 98–473) and is now administered by the Bureau of Justice Assistance (BJA), Office of Justice Programs, U.S. Department of Justice. Its function is to assist State and/or local units of government in responding to law enforcement emergencies through the provision of Federal law enforcement assistance. The EFLEA Program authorizes the Attorney General to provide funds, equipment, training, intelligence information, and personnel to help alleviate emergency situations. It also authorizes the Director of BJA to assist the Attorney General in providing EFLEA assistance and coordinating program activities.

Congress' intent in passing the EFLEA Program was to create an assistance program to address extraordinary circumstances that have the potential to create serious threats to public safety. Congress limited the number of eligible law enforcement emergencies by restricting applicability to situations in which State and local resources have been completely exhausted or are inadequate to deal with a law enforcement emergency. The legislative history of the Justice Assistance Act of 1984 indicates that Congress expected few emergencies to be dire enough to require Federal involvement through EFLEA. The program was never intended to be a routine source of Federal financial assistance for criminal justice activities.

Section 609N(3) of the Justice Assistance Act clearly delineates the purpose of EFLEA and limits its applicability by defining a "law enforcement emergency" as:

> . . . an uncommon situation which requires law enforcement, which is or threatens to become of serious epidemic proportions, and with respect to which State and local resources are inadequate to protect the lives and property of citizens or to enforce the criminal law, except that such term **does not** [emphasis added] include the perceived need for planning or other activities related to crowd control

for general public safety projects, or a situation requiring the enforcement of laws associated with scheduled public events, including political conventions and sports events.

The EFLEA Program serves a special purpose in alleviating damage resulting from a law enforcement emergency and providing financial support for actions taken to prevent further losses.

Eligibility for Program Assistance

If a law enforcement emergency exists throughout a State or in part of a State, the State may submit an application for itself or for units of local government to the U.S. Attorney General for EFLEA Program assistance. The application must meet certain criteria and be submitted in writing by the Governor in accordance with established EFLEA application guidelines, as described in the following sections.

Key Determining Factors

The Attorney General evaluates EFLEA Program applications based on the likelihood that the situation will escalate into a law enforcement emergency of epidemic proportions, posing an imminent threat to public safety. The law enforcement emergency must be of sufficient magnitude to overwhelm the State or local government's ability to respond. Based on these criteria, the Attorney General approves or disapproves funding awards within 10 days after receiving the application.

Application Requirements

The Governor should submit a written application and signed transmittal letter that include the following elements:

❑ **Problem.** A description of the nature and extent of the law enforcement emergency, including the specific identification and description of the political and jurisdictional subdivision(s) where the emergency exists.

❑ **Resources.** A description of the State and local criminal justice resources available to address the emergency and an explanation of why and to what degree they are insufficient.

❑ **Required assistance.** A specific statement of the funds, equipment, training, intelligence information, and/or personnel requested and a description of their intended use.

❑ **Other assistance.** Information about any other assistance the State or appropriate unit of government has received or could receive under the provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

❑ **Complete line-item budget.** A budget accompanied by a detailed narrative explaining all costs for which EFLEA funding is requested and showing how such costs were derived.

❑ **Signed and dated assurance statement.** A statement certifying compliance with applicable Federal statutes, regulations, policies, guidelines, and requirements.

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Sent: 15 Feb 2017 13:22:21 -0500
To: Allen, Jotham;Dick, Jennifer
Subject: FW: DAPL Protest (UNCLASSIFIED)
Attachments: FEMA Assessment of EM Dec for the Dakota Access Pipeline (002).docx

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FEMA Response Directorate
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Page 1473

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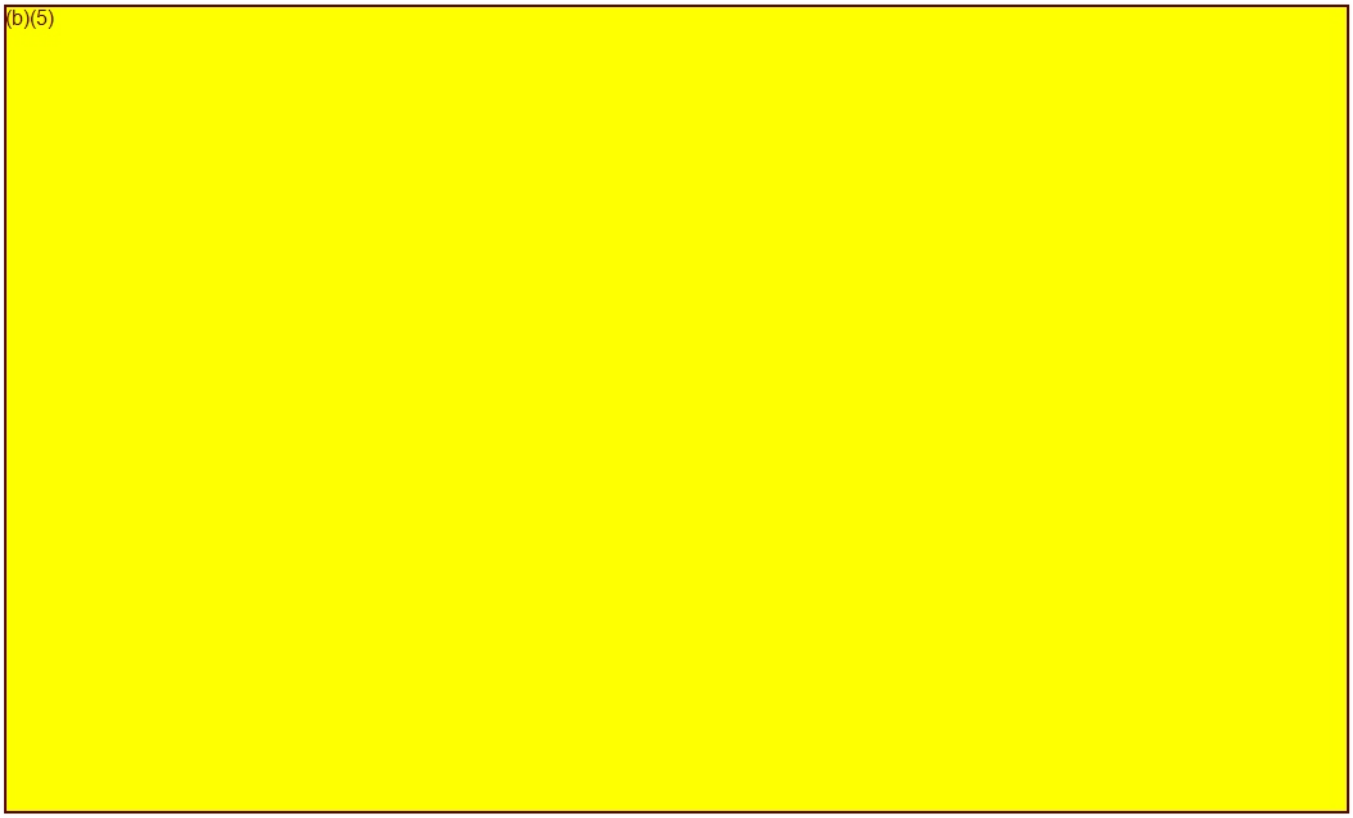
FEMA Assessment of Emergency Declaration and Comparisons to the North Dakota Access Pipeline Drill Site

February 13, 2017

(b)(5)

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Applicability of Emergency Support Functions during Non-Stafford Act Events

(b)(5)

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Sent: 16 Feb 2017 20:21:40 +0000
To: Greff, Stacie
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fyi

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

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FEMA Assessment of Emergency Declaration and Comparisons to the North Dakota Access Pipeline Drill Site

February 13, 2017

(b)(5)

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Applicability of Emergency Support Functions during Non-Stafford Act Events

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Sent: 15 Feb 2017 18:34:29 +0000
To: Adamcik, Carol Ann
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Sending for awareness

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Sent: Monday, February 13, 2017 6:56 AM
To: Gautier, Peter W. EOP/NSC (b)(6)@nsc.eop.gov>; (b)(6) USAF JS J5 (US <(b)(6)@mail.mil>; (b)(6)@mail.mil>; (b)(6)@mail.mil>; (b)(6)@ios.doi.gov>; (b)(6)@ios.doi.gov> (b)(6)@HQ.DHS.GOV>; Bibo, David <David.Bibo@fema.dhs.gov>
Cc: Cramer, Drew W. EOP/NSC <Drew_W_Cramer@nsc.eop.gov>; (b)(6) EOP/NSC (b)(6)@nsc.eop.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

Peter
The NRCC is activated 24/7 for the California Orville Dam flooding event and all the FEMA attendees have operational roles on the NRCC. Can we get a call-in to participate?

I must mention to the group at this opportunity that this California incident is a perfect example of when federal emergency response assistance is warranted for a potential dam breach situation. We are watching several other dams at-risk across the mid-west as well that we need to have capabilities on hand to support if needed. The North Dakota incident - while it could foreseeably

require such emergency assistance in the future - is not at the point where Stafford Act assistance is required to support the State.

In the California situation, unlike in North Dakota at this time, the Governor declared a state of Emergency and their EOC is at full activation. The State has deployed its incident management team, its swift water SAR teams, and is supporting evacuations of about 192,000 people. As of this morning, shelters are open with 350 occupants and the State has indicated a need for logistics commodities.

- josh

Joshua C. Dozor
Director, Planning and Exercises
FEMA Response Directorate
Cell: 202-631-6877

Referred to Another Agency/Component

Referred to Another Agency/Component

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Withheld pursuant to exemption

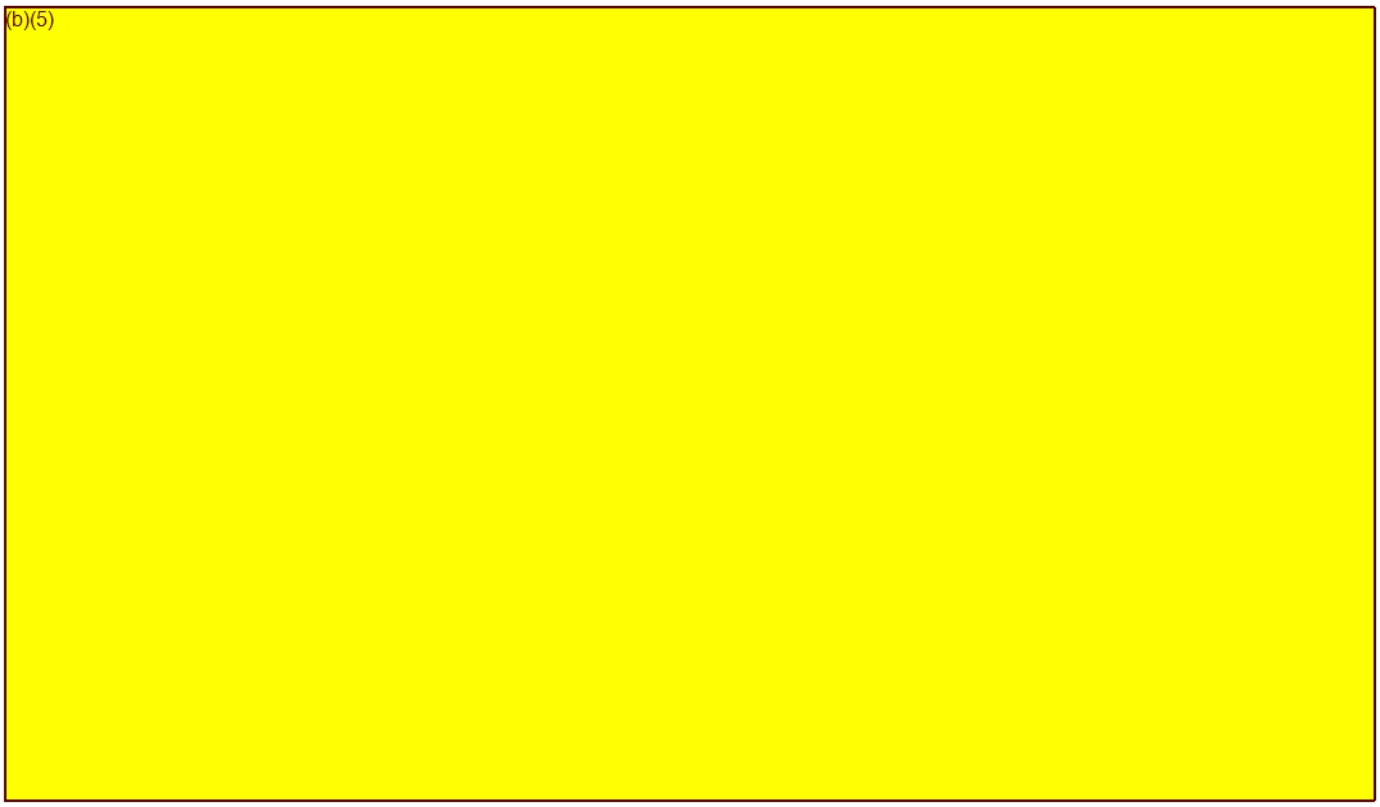
Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

(b)(5)

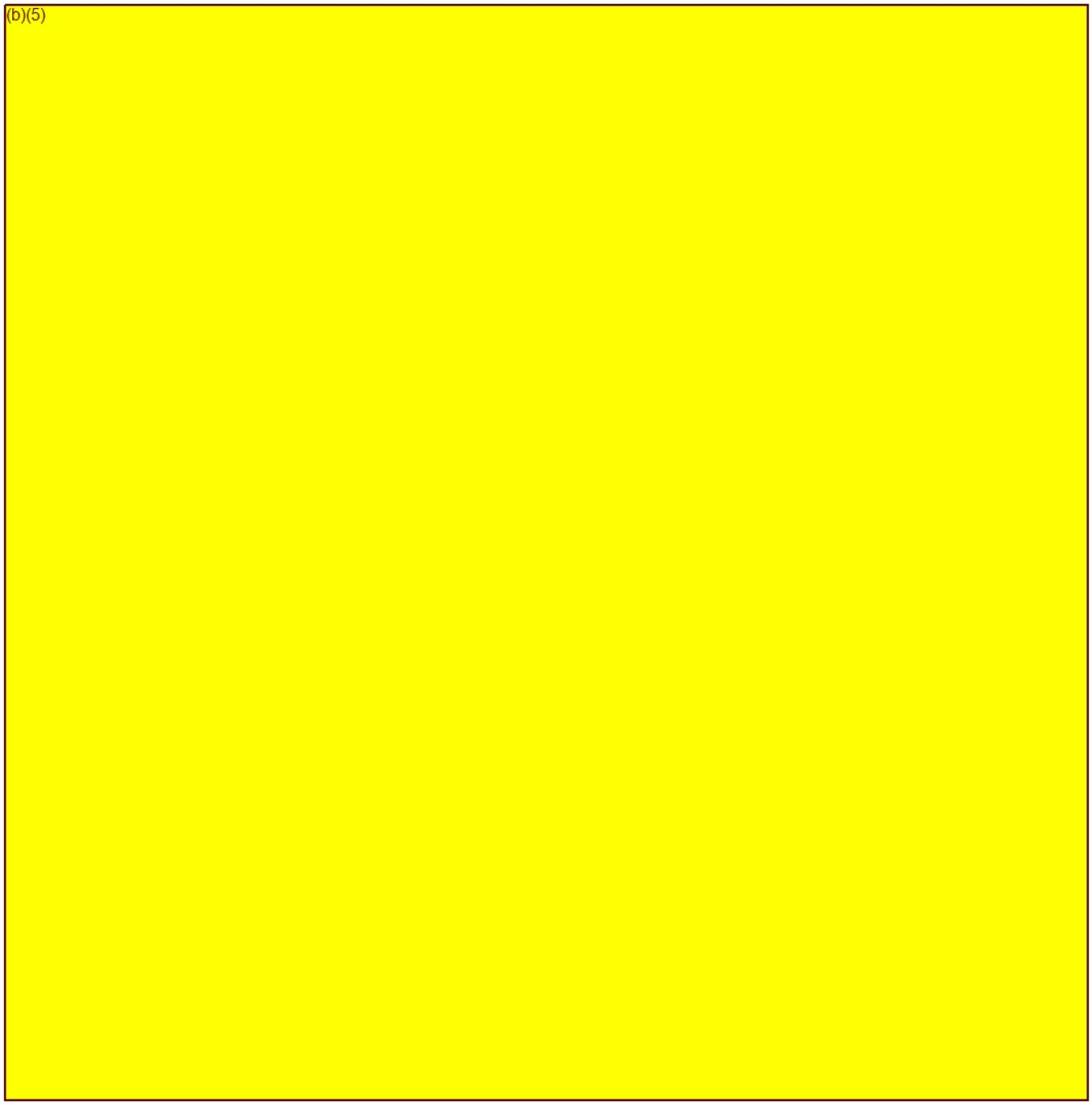
(b)(5)

(b)(5)



Applicability of Emergency Support Functions during Non-Stafford Act Events

(b)(5)



From: Bush, Tom
Sent: 24 Mar 2017 19:21:04 +0000
To: Phillips, Leigh-Andrea
Cc: Puffer, Donovan;Dick, Jennifer;Americanos, Christopher;Jones, Roger;Carroll, Thomas
Subject: FW: ND Request
Attachments: PDA Letter DRAFT - 2017-3-23.docx, DAPL Presidential Major Disaster Declaration Request - DRAFT - 2017-3-23.docx

Data for the ND DR request for pipeline protest. Apparently the state has not made a hard decision on requesting but we should be prepared. Please do not disseminate these documents further.

Anticipate:

- State will send request for validation of PDA data in next 5 to 10 days
- Upon validation, the state will submit Governors request
- Requested incident period- 223 days concluding on Mar 21
- Leigh is crafting RVAR
- HQ is aware

Tom Bush
Public Assistance Branch Chief
Recovery Division
FEMA Region VIII

303-235-4860 (Desk)
303-941-3998 (Cell)

From: Schulz, Cody J. [mailto:(b)(6)@nd.gov]
Sent: Friday, March 24, 2017 10:41 AM
To: Bush, Tom <Tom.Bush@fema.dhs.gov>
Cc: Wilz, Greg M.(b)(6)@nd.gov>
Subject: RE: ND Request

Tom,

Attached are the DRAFTs of the PDA request and Dec request. Please understand that these are drafts only and they are pre-decisional, meaning that appointed and elected political leadership is still considering whether or not to submit. If you have any questions or see any issues with the drafts please let me know.

Thanks,

Cody Schulz
Disaster Recovery Chief
ND Department of Emergency Services
Office: (b)(6)

Fax: 701-328-8181
(b)(6) @nd.gov



From: Bush, Tom [mailto:Tom.Bush@fema.dhs.gov]
Sent: Friday, March 24, 2017 10:29 AM
To: Schulz, Cody J. (b)(6) @nd.gov>
Subject: ND Request

CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Would you mind sending me the draft request for the pipeline? We are trying to get a start on crafting the paperwork we need to send to DC.

Thanks

Tom Bush
Public Assistance Branch Chief
Recovery Division
FEMA Region VIII

303-235-4860 (Desk)
303-941-3998 (Cell)

March 23, 2017

Ms. Nancy Dragani, Acting Regional Administrator
U.S. Department of Homeland Security
Federal Emergency Management Agency, Region VIII
Denver Federal Center, Building 710
Denver, CO 80225-0267

Attn: Mr. Tom Carroll, Response and Recovery Division Director

Dear Ms. Dragani:

As documented in reports issued by the North Dakota Department of Emergency Services and covered broadly in local, regional, and national media; the State of North Dakota experienced protests that included numerous riots, vandalism, property crimes, trespassing, as well as the use firearms and explosives. This incident began on August 10, 2016 and concluded on March 21, 2017.

In response to the crisis created by the DAPL protest, the Morton County Commission issued an emergency declaration on August 15, 2016. Other adjoining jurisdictions also followed suit; Sioux County on February 24, 2017, and Emmons County on February 27, 2017. My predecessor, the Honorable Jack Dalrymple, issued Executive Order 2016-04 on August 19, 2016, proclaiming an emergency, thereby enacting utilization of the State Emergency Operations Plan.

State and local jurisdictions were called upon to provide law enforcement and public safety personnel and assets to deal with often combative and violent protests and riots. The resources required for a nearly eight month response has been unprecedented and are of such severity and magnitude that effective response was beyond the capabilities of the State and affected local governments. Significant federal interests and responsibility for the start and continuation of the protest requires supplementary Federal assistance to mitigate the disproportionate expense experienced by local governments and the State of North Dakota.

State and local officials have conducted initial assessments to include the following jurisdictions: Emmons, Morton, and Sioux Counties. Based on the results of these initial damage assessments, I request the U.S. Department of Homeland Security, FEMA Region VIII, provide a team to assist us in conducting a Preliminary Damage Assessment (PDA) for the Public Assistance Program, scheduled to begin the week of April 3, 2017.

I reserve the right to add additional counties and tribal nations as damages become known. My point of contact for arranging details of this assessment is Greg Wilz, Director of Homeland Security, (b)(6)

Sincerely,

Doug Burgum
Governor

cc:
MG Alan Dohrmann, Director, NDDES
Greg Wilz, Deputy Director, NDDES
Cody Schulz, Disaster Recovery Chief, NDDES

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Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 1499

Withheld pursuant to exemption

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Page 1501

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Page 1507

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of the Freedom of Information and Privacy Act

Page 1508

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

From: Shin, Raymond
Sent: 26 Jan 2017 12:52:11 -0500
To: Clifford, Chad;Brummett, David;OCC PNPLD GPD;Fried, Jordan;Shedd, Kristen;Adamcik, Carol Ann;Saltalamachea, Michael;Dick, Jennifer;Americanos, Christopher
Cc: OCC LC
Subject: FW: Request for expedited review of response to DHS request - Dakota Access Pipeline
Attachments: BM - ND State Tribal Nation Request - 1.26.17.docx
Importance: High

Dear PNPLD / GPD, FIMLD, and Region 8 attorneys:

BLUF: Please review and reply w/ comments ASAP.

The attached memo outlines a desire by the State of North Dakota to vacate the location where people are protesting against the Dakota Access Pipeline in anticipation of major flooding. They also want to clean the area after everyone is moved out and before the flooding.

There is one section for GPD and another section for FIMA all the way at the end.

Ray

Raymond K Shin
202-212-7028 (Desk)
202-704-8152 (Cell)

From: Nadeau, Robert
Sent: Thursday, January 26, 2017 12:33
To: Hall, Daniel F <Daniel.Hall@fema.dhs.gov>; Van Blarcum, Anna Marie <AnnaMarie.VanBlarcum@fema.dhs.gov>; Forbes, Melissa <Melissa.Forbes@fema.dhs.gov>; Payne, Matthew S <Matthew.Payne@fema.dhs.gov>; Shin, Raymond <raymond.shin@fema.dhs.gov>; Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>
Cc: Breslin, Thomas <Thomas.Breslin@fema.dhs.gov>; Tennyson, Stephanie <stephanie.tennyson@fema.dhs.gov>; Cychosz, Rachel <Rachel.Cychosz@fema.dhs.gov>; Fish, Kristen <kristen.fish@fema.dhs.gov>; FEMA-ActionOffice-OCC <FEMA-ActionOffice-OCC@fema.dhs.gov>; FEMA-ActionOffice-EA <FEMA-ActionOffice-EA@fema.dhs.gov>; Vick, Hannah <Hannah.Vick@fema.dhs.gov>
Subject: Request for expedited review of response to DHS request - Dakota Access Pipeline
Importance: High

A request was submitted to the Department of Homeland Security on January 25, 2017, from the State of North Dakota to have Border Patrol agents support in a law enforcement capacity at three (3) checkpoints with the goal of limiting an additional influx of protestors and items from entering a protestor camp for the Dakota Access Pipeline. The approximate population of the camp is 500.

The State's concern – which is shared by the Standing Rock Sioux Tribal Nation – stem from anticipation of major flooding in the next 40 days within the protest area. Both parties wish for a peaceful departure by protestors to avoid this risk. Once protestors vacate the area, the State has indicated that the Army Corps of Engineers has plans to come in and clean up the area from the waste/garbage prior to the flooding occurring.

Attached memo for immediate review.

Request by 12:45 pm or asap.

Robert Nadeau, CEM
Acting Director, Intergovernmental Affairs Division
FEMA Office of External Affairs
500 C St. SW
Washington D.C. 20472
Desk 202-212-5193
Cell 202-285-7835
Robert.Nadeau@fema.dhs.gov

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State of North Dakota & Tribal Nation Request
For Preventing Loss of Life in Anticipation of Flooding

(b)(5)

(b)(5)

From: Dick, Jennifer
Sent: 26 Jan 2017 17:59:21 +0000
To: Americanos, Christopher
Subject: FW: Request for expedited review of response to DHS request - Dakota Access Pipeline
Attachments: BM - ND State Tribal Nation Request - 1.26.17.docx

Looking at this now

Jennifer Dick
Regional Counsel
(303) 563-9230

From: Shin, Raymond
Sent: Thursday, January 26, 2017 12:52:11 PM
To: Clifford, Chad; Brummett, David; OCC PNPLD GPD; Fried, Jordan; Shedd, Kristen; Adamcik, Carol Ann; Saltalamachea, Michael; Dick, Jennifer; Americanos, Christopher
Cc: OCC LC
Subject: FW: Request for expedited review of response to DHS request - Dakota Access Pipeline

Dear PNPLD / GPD, FIMLD, and Region 8 attorneys:

BLUF: Please review and reply w/ comments ASAP.

The attached memo outlines a desire by the State of North Dakota to vacate the location where people are protesting against the Dakota Access Pipeline in anticipation of major flooding. They also want to clean the area after everyone is moved out and before the flooding.

There is one section for GPD and another section for FIMA all the way at the end.

Ray

Raymond K Shin
202-212-7028 (Desk)
202-704-8152 (Cell)

From: Nadeau, Robert
Sent: Thursday, January 26, 2017 12:33

To: Hall, Daniel F <Daniel.Hall@fema.dhs.gov>; Van Blarcum, Anna Marie <AnnaMarie.VanBlarcum@fema.dhs.gov>; Forbes, Melissa <Melissa.Forbes@fema.dhs.gov>; Payne, Matthew S <Matthew.Payne@fema.dhs.gov>; Shin, Raymond <raymond.shin@fema.dhs.gov>; Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>
Cc: Breslin, Thomas <Thomas.Breslin@fema.dhs.gov>; Tennyson, Stephanie <stephanie.tennyson@fema.dhs.gov>; Cychosz, Rachel <Rachel.Cychosz@fema.dhs.gov>; Fish, Kristen <kristen.fish@fema.dhs.gov>; FEMA-ActionOffice-OCC <FEMA-ActionOffice-OCC@fema.dhs.gov>; FEMA-ActionOffice-EA <FEMA-ActionOffice-EA@fema.dhs.gov>; Vick, Hannah <Hannah.Vick@fema.dhs.gov>
Subject: Request for expedited review of response to DHS request - Dakota Access Pipeline
Importance: High

A request was submitted to the Department of Homeland Security on January 25, 2017, from the State of North Dakota to have Border Patrol agents support in a law enforcement capacity at three (3) checkpoints with the goal of limiting an additional influx of protestors and items from entering a protestor camp for the Dakota Access Pipeline. The approximate population of the camp is 500.

The State's concern – which is shared by the Standing Rock Sioux Tribal Nation – stem from anticipation of major flooding in the next 40 days within the protest area. Both parties wish for a peaceful departure by protestors to avoid this risk. Once protestors vacate the area, the State has indicated that the Army Corps of Engineers has plans to come in and clean up the area from the waste/garbage prior to the flooding occurring.

Attached memo for immediate review.

Request by 12:45 pm or asap.

Robert Nadeau, CEM
Acting Director, Intergovernmental Affairs Division
FEMA Office of External Affairs
500 C St. SW
Washington D.C. 20472
Desk 202-212-5193
Cell 202-285-7835
Robert.Nadeau@fema.dhs.gov

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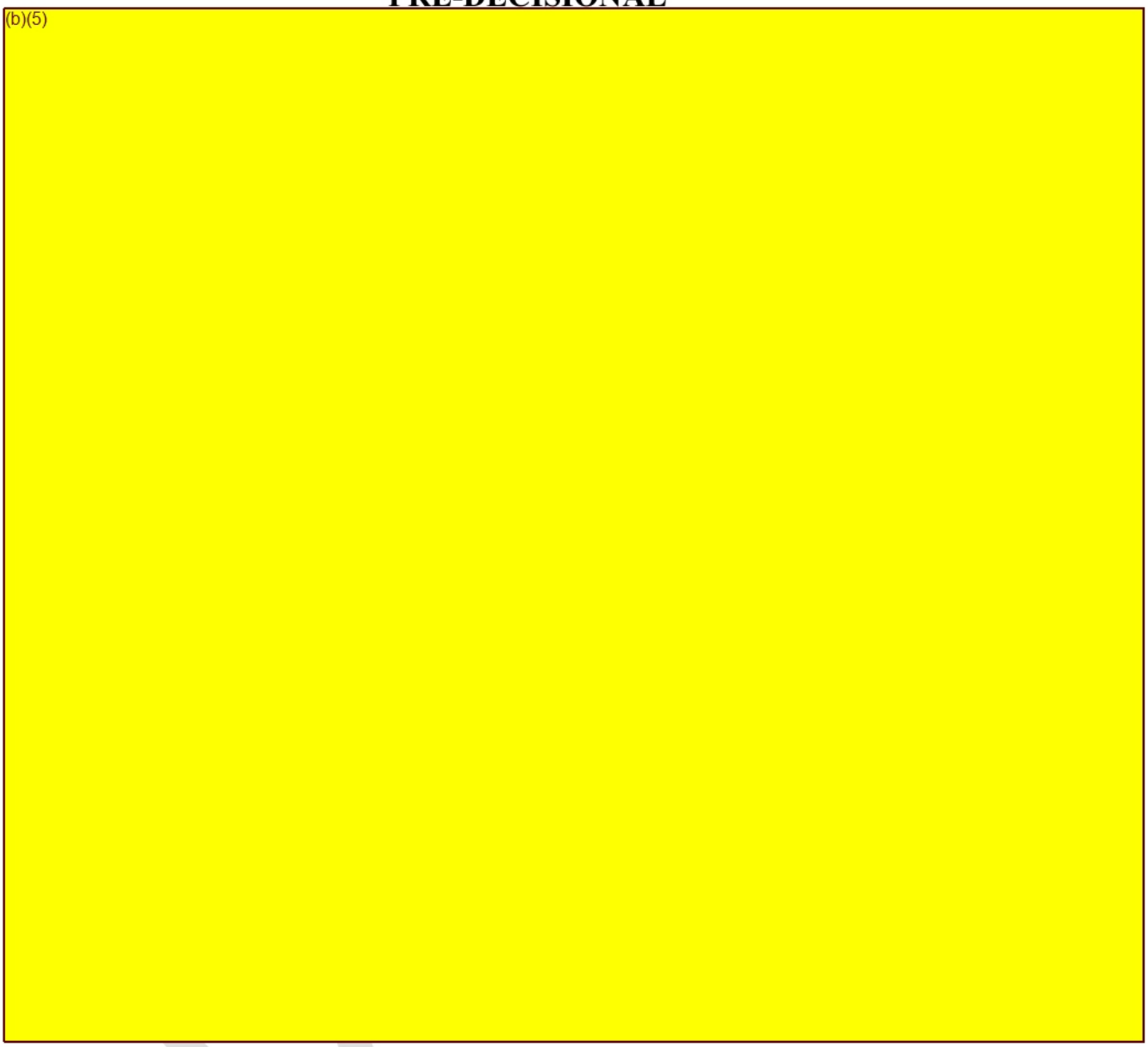


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State of North Dakota & Tribal Nation Request
For Preventing Loss of Life in Anticipation of Flooding

(b)(5)

(b)(5)



From: Dick, Jennifer
Sent: 15 Mar 2017 19:44:13 +0000
To: Allen, Jotham;Parker, Robert
Cc: Americanos, Christopher (Christopher.Americanos@fema.dhs.gov);Adamcik, Carol Ann
Subject: FYI: ND Pipeline Protest

Just fyi--A potential declaration request from ND related to Dakota Access Pipeline (DAPL) protest is still being discussed at the state level. Things had somewhat quieted down on this front, but we heard from NDDES that they were meeting with the Governor today to discuss a potential declaration request. To my knowledge, no fed funding (e.g. DOJ, USACE, etc.) has come to fruition to assist/reimburse the State &/or Morton County for the law enforcement expenditures. NDDES Director is well versed in the problems associated with a federal declaration/FEMA assistance for this type of event/expenses, however a decision to exert pressure upon the fed government/gain more attention to the issue —may result in the State deciding to make the request. Since I hadn't sent/heard anything in a while—wanted to make sure you were aware that it popped up again.

Jennifer Dick, Regional Counsel
FEMA Region VIII, Denver CO
(303) 235-4903
(303) 563-9230

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From: Bush, Tom
Sent: 22 Mar 2017 16:19:30 +0000
To: Carroll, Thomas;Puffer, Donovan
Cc: Jones, Roger;Dick, Jennifer
Subject: ND DR request

Cody called, Greg will request PDA validation of costs for pipeline protest within the next five days. The governors request is already drafted.

I will coordinate with Dean

Tom Bush
PABC FEMA R8
Denver, CO 80225
303.941.3998 (cell)

From: Greff, Stacie
Sent: 17 Mar 2017 11:46:27 -0400
To: Dragani, Nancy
Cc: R8 Division Directors;Dombrowski, Justin
Subject: Clip: DAPL

In clips, but ensuring visibility.

From: DeFelice, Jerome
Sent: Friday, March 17, 2017 9:00 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>; Floyd, Megan <Megan.Floyd@fema.dhs.gov>; Garcia, Carol <carol.garcia@fema.dhs.gov>
Subject: Clip: DAPL

I'll include in the clips but wanted to make sure you saw this…

US taxpayers might be on the hook for pipeline protest costs

- By BLAKE NICHOLSON Associated Press
- Mar 16, 2017 Updated 19 hrs ago
-

BISMARCK, N.D. (AP) — North Dakota officials appear poised to go after the U.S. government — and thus U.S. taxpayers — to recoup more than $38 million in state expenses related to months of protests against the Dakota Access pipeline, though a longstanding offer from the project's developer to pay up is still on the table.

One taxpayer watchdog group questions why the state isn't jumping at the offer from Dallas-based Energy Transfer Partners, a company worth billions of dollars.

"You take the money when you can get it," said Dustin Gawrylow, managing director of the North Dakota Watchdog Network, which keeps tabs on how public money is spent.

The matter might not be that simple. Common Cause, a nonpartisan group that promotes government accountability, says accepting money from a private-sector business in an industry it regulates would present the state with an ethical dilemma.

Pipeline opponents have long accused the state of being too cozy with ETP, and if the state takes the company's money "it certainly would lend credence to those arguments," said Joye Braun, a protest leader.

"For Energy Transfer to offer a donation, basically that's paying off the state for using state resources as personal security," she said.

Gawrylow said ETP's offer, while it would help the state, might be more marketing than generosity.

"They're not spending it out of the goodness of their heart. They're spending it to build goodwill in North Dakota" after months of upheaval, he said.

Work is wrapping up on the $3.8 billion pipeline to move North Dakota oil 1,200 miles to a shipping point in Illinois, and oil could be flowing as early as Monday despite an ongoing legal challenge by Sioux tribes who fear the project could affect their water supply — a claim ETP rejects.

The saga has endured for months, with hundreds and sometimes thousands of pipeline opponents camping on federal land near the drill site and often clashing with police. About 750 arrests were made between early

August and late February, when camps on property managed by the Corps were shut down in advance of spring flooding season.

State officials have not been clear on why they haven't accepted ETP's offer, first made in the fall.

"The governor hasn't said whether the state will or won't seek reimbursement from ETP, only that all options are on the table," Mike Nowatzki, spokesman for Republican Gov. Doug Burgum, said.

State Budget Director Pam Sharp told The Associated Press that nothing in state law would prevent North Dakota from accepting such a donation, and that it's happened before, though not in such a sizable amount. For example, smaller private donations have been made to the state-operated North Dakota Veterans Home, she said.

Both Nowatzki and ETP spokeswoman Vicki Granado said they weren't aware of any discussions between state officials and ETP. But, Nowatzki said, "the governor's office has been in discussions with both the U.S. Army Corps of Engineers and White House officials to emphasize the state's position that federal reimbursement is warranted."

U.S. Sen. John Hoeven, a Republican from North Dakota, said his office also is working to get the Corps to reimburse protest-related state costs.

State Attorney General Wayne Stenehjem has publicly broached the idea of suing the federal government. He didn't respond to requests for comment.

The state Emergency Commission late last year approved borrowing $17 million to cover the costs, and the first bill Burgum signed as governor after taking office in January authorized an additional $8 million. But the cost has surpassed the approved total by $13 million, and officials plan to ask the Legislature for more money, state Emergency Services spokeswoman Cecily Fong said.

"I would be very surprised if the Legislature does not cover the full cost," said Republican state Rep. Jeff Delzer, chairman of the House Appropriations Committee.

Nowatzki said Burgum's chief concern "is ensuring that North Dakota taxpayers alone don't foot the bill."

Accepting money from ETP would be a risky way of doing that, according to Paul S. Ryan, vice president of litigation and public policy for Common Cause.

"One would reasonably question whether the state could in an unbiased way regulate ETP if it is receiving tens of millions of dollars in cold hard cash from ETP," he said.

___

From: Welch, Randy
Sent: 20 Mar 2017 13:14:23 -0400
To: R8 All Hands
Cc: (b)(6)
(b)(6) @state.co.us;(b)(6) @mail.mil;(b)(6) @mail.mil;(b)(6)
@nd.gov;(b)(6) @state.sd.us;(b)(6) @state.sd.us;(b)(6) @utah.gov(b)(6) @wyo.go
v;(b)(6) @acf.hhs.gov;(b)(6) @usace.army.mil;(b)(6) @usace.army.mil;(b)(
(b)(6) @state.mn.us;Peterson, Mark
J;(b)(6) @hhs.gov;(b)(6) @hhs.gov(b)(6) @hhs.gov(b)(6) @sba.go
v;(b)(6) @sba.gov;Nelson, Jason;(b)(6) @fs.fed.us;Alexander,
Daniel;(b)(6) @atf.gov;(b)(6) @aveshka.com;Carlson-Sherbo, Diana
Subject: FEMA R8 clips for Monday 3-20-17
Attachments: R8 Clips 03-20-17.docx

Region VIII Clips
Monday, March 20, 2017

ANALYSIS

- *Colorado:* Many stories reported on the Sunshine Fire near Boulder, as well as other wildfires around the state. The Sunshine Fire also made the news on NBC, CBS, ABC, the *Washington Post* and *USA Today*. … A National Resiliency Center has been set up to help communities deal with the aftermath of mass shootings… Fremont County received a grant from the Emergency Food and Shelter program…. The Big Thompson Canyon road, damaged in the 2013 floods, is on track to open by Memorial Day… The *Kiowa County Press* has been carrying stories on preparedness and where to get information about potential disasters… Repairs to a popular local trail damaged in the 2013 floods have been delayed as Boulder prioritizes projects that are eligible for federal funding.
- *Montana:* Flood advisories were in effect in NE Montana, and flooding has occurred in Libby…. A Bozeman TV station noted that the wet weather should delay the start of fire season.
- *North Dakota:* Officials from the Red River Valley made their pitch to the state legislature for continued funding of the Fargo-Moorhead diversion project. A separate project to pipe water from the Missouri to the eastern and central parts of the state has also been proposed. … Four tribal lawsuits trying to stop the Dakota Access pipeline have been combined into one. Oil could begin flowing today. … A web story notes that some homes along the Mouse River may see higher flood insurance rates when a new map goes into effect in a couple years.
- *South Dakota:* An AP story summarizing the lawsuit against the Corps of Engineers for the 2011 Missouri River flooding is included.
- *Utah:* No FEMA-related stories
- *Wyoming:* Cheyenne Mayor Marian Orr told the city council her concerns about whether a FEMA grant would still be available under the new administration given that construction will likely not be done in timely fashion…
- *Other FEMA-related stories:* A *Washington Post* summary of the proposed federal budget includes a summary of the proposals for DHS and the SBA.

CONTENTS

COLORADO:

Officials suspect human cause in Boulder's Sunshine fire (Denver Post – multiple Stories across Colorado regarding the Sunshine fire)

Hundreds evacuated in Colorado as firefighters battle 'Sunshine Fire' (Fox 6 Now)

Crews responding to 3 separate fires in Park County (KOAA News)

Weld County fire burns more than 50 acres (Denver Post)

Colorado group works to help cities cope with Aurora-like mass shootings (Denver Post)

Fremont County Awarded Federal Funds Under The Emergency Food And Shelter National Board Program (Canon City Daily Record)

Big Thompson Canyon Road On Track To Reopen By Memorial Day (Associated Press)
Flooding – Know the Risks (Kiowa County Press)
Wildfire in Colorado: Where Do You Get Information? (Kiowa County Press)

Reopening of flood-damaged Boulder Falls remains slippery goal (Daily Camera)

MONTANA:

Flood advisories in effect in northeastern Montana (AP; picked up by several outlets)
Flooding in Libby (ABC Fox Montana)

Wet western Montana winter may delay fire season (KBZK TV, Bozeman)

NORTH DAKOTA

Fargo, Grand Forks officials pitch water projects to lawmakers (Bismarck Tribune)

Judge combines 4 tribal suits over Dakota Access pipeline (Bismarck Tribune)

Residents along Mouse River could see flood insurance spike (MyNDNow.com)

SOUTH DAKOTA:

A look at a trial over Missouri River flooding (AP)

UTAH:

No FEMA-related stories

WYOMING:

Mayor Orr unhappy with Civic Center Commons oversight idea (Wyoming Tribune Eagle)

FEMA-RELATED STORIES
You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

40 Years Of Budgets Show Shifting National Priorities (Washington Post)

STORIES

COLORADO:

Officials suspect human cause in Boulder's Sunshine fire (Denver Post – Multiple Stories across Colorado regarding the Sunshine fire)

The fire has scorched 62 acres and is now 50 percent contained, officials said

http://www.denverpost.com/2017/03/19/sunshine-fire-boulder-updates/
by RJ Sangosti, The Denver Post
The Sunshine fire that has been burning west of Boulder since early Sunday morning appears to be human-caused, Boulder County sheriff's officials said late in the day. The fire has scorched 62 acres and is now 50 percent contained, officials said.

Cmdr. Mike Wagner said the general area where the fire started, at Sunshine Canyon Road and Timber Trail, has a network of unofficial "social" trails and is known to have "lots of transient campsites."

The Boulder Office of Emergency Management said firefighters plan to monitor the perimeter of the 62-acre fire and focus on protecting structures overnight. No structures have been damaged. Evacuation orders for residents of 426 homes remain in place.

Crews hope to contain the blaze fully on Monday.

Wagner said residents of the more than 400 homes evacuated early this morning were prohibited from returning at night, with high winds forecast around midnight. Re-evacuating at night is more difficult, he said.

"Things get exponentially more complex in the dark," he said.

Fire officials plan to reassess the evacuations in the morning, with an update expected around 8 a.m., Wagner said.

"They're hoping they can keep control of it overnight and really start mopping up tomorrow," he said.

No homes or structures have been damaged or destroyed, officials said, and there have been no reported injuries.

The contained area is off the "heel" of the fire near Sunshine Canyon Drive and the Centennial Trailhead, officials said.

Onlookers gathered at a roadblock on Fourth Street and Mapleton Avenue just east of Sunshine Canyon and worried the fire would spread into town or that they would be evacuated. But Belle Star, a resident of Boulder for the past 17 years, said she was not so scared while taking shelter at East Boulder Community Center.

"I woke up to the sound of pounding at my front door at 5 a.m., and policemen were meticulous about making sure everybody in my condo was out," she said, explaining that officials wrapped yellow caution tape around door handles indicating they had spoken with a resident. "I grabbed my sister and my cat and I left. Your priorities change when they want you to act fast."

Star lives at Fourth and Pearl Streets and said she has experienced other natural disasters before, including the Boulder Flood in 2013 and several fires. She said her main concern was the wind picking up and spreading the fire.

"They might have it out by tonight, but you never know," she said. "It all depends on the wind and which way it blows."

Wagner said: "I think it really hinges on what the weather does tonight. … We're not able to utilize aircraft at night, and evacuations are harder."

Officials were concerned earlier in the day about gusting winds because the fire was within a mile of downtown.

The Boulder Office of Emergency Management placed more than 1,000 phone calls ordering predawn evacuations. The fire was reported about 2:30 a.m. Sunday. The calls resulted in 426 homes being evacuated.

Six aircraft dropped water and slurry, said Barb Halpin, a spokeswoman for the Boulder Office of Emergency Management. Residents were warned to avoid Wonderland Lake, where water refills were conducted.

Gov. John Hickenlooper authorized support from the Colorado National Guard, including equipment such as two UH-60 Black Hawk helicopters, one CH-47 Chinook helicopter and a refueling truck from the Colorado Army National Guard.

Aircraft from Buckley Air Force Base were assisting.

The OEM placed about 3,700 calls to those on pre-evacuation notice, telling residents to be prepared to leave. About 8 p.m., 836 homes remained on pre-evacuation.
Police were patrolling the area at night to address concerns about possible burglaries to evacuated homes.
Wagner said 250 state and local firefighters and 50 fire vehicles were involved throughout the day Sunday. One firefighter told Wagner that there was no moisture in the soil of the burn area and said it was like June.
The Boulder office's website experienced high traffic and intermittently dropped offline during the day. Users were asked to refresh often or get information on Twitter at @BoulderOEM or on Facebook.
Conditions are ripe for fire throughout the Front Range, said Bernie Meier, meteorologist with the National Weather Service in Boulder. Boulder had a record 80-degree high Saturday, breaking the record of 77 for March 18 set in 1907.
Winds were light, about 5 mph at 8:30 a.m., but by 11 a.m., the weather service was recording gusts of 40 mph, with sustained winds of 5 to 10 mph pushing the flames in the wooded area a couple of miles west of Pearl Street.
Humidty was low, at 14 percent.
The fire was first reported on the mountainside near Sunshine Canyon and Timber Lane when someone noticed "glowing on the mountain, and we sent deputies," said Gabi Boerkircher, a spokeswoman with the Boulder Office of Emergency Management.
Boulder County Public Health advises people to avoid outdoor activities if they can see or smell smoke.
Some residents in the pre-evacuation zone in the Highland neighborhood were watching the fire from Eben G. Fine Park and waiting to see if the wind picked up before packing.
Ben Egner said that although he hadn't packed anything yet, he has a list in his head that includes musical instruments, books, his hard drive and his dog, Petunia. He said he found out about the fire after getting a text from a neighbor early this morning.
For another neighbor, Beth Prehn, it was a phone call from a friend at 5:30 a.m. that alerted her. At about 7 a.m., she took a picture of flames lighting up Sunshine Canyon.
"That was scary," she said.
Now, looking at smoke instead of flames, "I feel a lot better," she said.
Officials closed Boulder Canyon Drive to all traffic.
The general evacuation perimeter is Poorman Road to the west, Fourth Street in the city of Boulder to the east, Boulder Canyon Drive to the south and Sunshine Canyon Drive to the north, according to the sheriff's office. Traffic is being rerouted on a portion of Boulder Canyon Drive at Sixth Avenue, down Arapahoe, and returning to Boulder Canyon Drive, the office of emergency management said.
Within the city of Boulder, the area of Fourth Street east to Broadway, and Mapleton Avenue to Canyon Boulevard are on pre-evacuation notice.
A Public Call Center line is open for non-emergency calls: 303-413-7730.
Residents ordered to evacuate can use the East Boulder Community Center, 5660 Sioux Drive. Large animals can be evacuated to the Boulder County Fairgrounds. Small animals can be taken to the East Boulder Community Center, but residents are asked to bring crates if possible.



Sunshine fire timelapse from overlook off Boulder turnpike, near canyon
Denver Post

Multiple fire agencies responded, including the Boulder Rural Fire Protection District, the Boulder Fire Department, the Greeley Fire Department and the Sheriff's Fire Management Program. The Denver Fire Department has dispatched five engines and 21 workers.

Seth Frankel, who was warned that he and his family may need to evacuate, said he had packed up "generations of things" that can't be replaced and was ready to go if the air quality got worse. He said smoke was pouring toward neighborhoods and many dead trees were combusting and sending black smoke into the air less than a half-mile from his home. But he and his wife, a Boulder native, and three daughters have dealt with fires and floods before.

"It's always alarming and always on your mind, but it's not an uncommon sensation around here," said Frankel, who has lived in Boulder for 20 years.

Frankel got word of the fire early Sunday from a neighbor who received a warning call, and he was outside with neighbors watching the flames and smoke. But he let his daughters, 9, 11 and 13, sleep in.

"It's still alarming, but there's no panic," Frankel said. "We will be long since gone when parents are no longer smiling."

The Associated Press contributed to this report.

Hundreds evacuated in Colorado as firefighters battle 'Sunshine Fire' (Fox 6 Now)

http://fox6now.com/2017/03/20/hundreds-evacuated-in-colorado-as-firefighters-battle-sunshine-fire/

Posted 6:07 am, March 20, 2017, by CNN Wire Service, Updated at 07:31AM, March 20, 2017

Firefighters worked into the night to contain a wildfire in the mountains west of Boulder, Colorado, that forced evacuations from hundreds of homes Sunday.

Against the backdrop of smoke billowing into the sky, firefighters managed to contain 50% of the relatively small but potentially destructive blaze by late Sunday evening.

With flames sizzling at the edge of Sunshine Canyon, crews planned to keep a close watch on the perimeter of the 62-acre fire overnight, the Boulder Office of Emergency Management (OEM) said.

“There was minimal spread within the footprint,” Cmdr. Mike Wagner of the Boulder County Sheriff’s Office said Sunday.

A total of 426 homes were evacuated before dawn Sunday, according to OEM officials. The mandatory evacuation remained in place into Monday morning.

“The (weather) forecast is a little concerning,” Wagner said.

Unseasonable warm temperatures, breezy conditions and low humidity will increase the danger of the so-called Sunshine Fire going into Monday, the National Weather Service warns.

More than 250 personnel from across the Denver metropolitan worked to put out hotspots and flare-ups after the OEM received a 911 call about the fire shortly after midnight Sunday, officials said.

There have been no reports of property loss, structural damage or injuries, OEM officials said.

Authorities are investigating the cause of the fire.

CNN’s Sheena Jones and Tina Burnside contributed to this report.

Crews responding to 3 separate fires in Park County (KOAA News)

http://www.koaa.com/story/34949791/crews-responding-to-3-separate-fires-in-park-county
Posted: Mar 19, 2017 6:12 PM MDT Sunday, March 19, 2017 8:12 PM EDT

Crews are responding to three separate fires in Park County, according to Park County officials on Twitter.

A 100+ acre fire is burning on a gun range west of Indian Mountain subdivision. A level one evacuation is in place for residents of the subdivision.

Another fire is burning near the McCurdy Trail in the Lost Park Wilderness Area.

Highway 9 is closed near Hartsel because of a hay truck fire.

This is a developing story and will be updated as more information becomes available.

Weld County fire burns more than 50 acres (Denver Post)

http://www.denverpost.com/2017/03/19/weld-county-fire-burns-more-than-50-acres/
By Hayley Sanchez | hsanchez@denverpost.com | The Denver Post
PUBLISHED: March 19, 2017 at 9:38 pm | UPDATED: March 19, 2017 at 11:43 pm

A fire was started Sunday evening between Lochbuie and Brighton from somebody shooting a gun.
The fire is estimated to have burned more than 50 acres in Weld County but is under control, said Natalie Ridderbos, Brighton Fire Rescue's spokeswoman.
The fire started around 6 p.m. at County Road 4 and Freestone Street. Fire crews were still working on hot spots at 7:30 p.m., but windy and dry conditions contributed to the fire's rapid spread.
No structures were threatened and no injuries have been reported, Ridderbos said. No suspects are currently under investigation.

Colorado group works to help cities cope with Aurora-like mass shootings (Denver Post)

The National Resiliency Center has compiled a blueprint of best practices to help manage the chaos that follows a mass shooting or disaster

http://www.denverpost.com/2017/03/20/national-resiliency-center-helps-cities-mass-shootings/
By Kirk Mitchell | kmitchell@denverpost.com | The Denver Post
March 20, 2017 at 12:01 am
In the 13 years between the Columbine High School massacre and the Aurora theater attack, mass shootings became so common in the U.S. that they were no longer unthinkable.
In 2016, there were 354 shootings in which four or more people were murdered, plus 49 school shootings and stabbings, said John Gay, chairman of the Aurora Key Community Response Team, who led the effort to create the National Resiliency Center.
When a crisis happens, from a mass shooting to natural disaster, most cities are unprepared and overwhelmed, Gay said. For example, when 12 people were killed and more than 70 injured at an Aurora movie theater in 2012, rescue efforts were hampered by traffic jams created as emergency responders rushed to the scene while moviegoers fled the theater multiplex.
Two days after the shooting, the idea for creating the National Resiliency Center was planted when Gay met with then-President Barack Obama and Gov. John Hickenlooper at the University of Colorado Hospital, where many of the injured were treated.
"(Obama and Hickenlooper) said we need to create something people can go to for information," Gay said.
So Gay worked with several emergency response experts to create the National Resiliency Center, a website that has compiled a blueprint of best practices to help manage the chaos.
The site provides action plans for incident commanders and other local, state and federal officials with detailed lists of recommendations for handling both the initial incident and its aftermath.
Those recommendations range from setting up incident command centers to handling unrelenting media inquiries and managing government grants and charitable donations.
"The goal is to reduce the chaos and the NRC protocols address issues rarely found in community, state and federal disaster plans," the website says. "Following the NRC advice can help reduce crisis chaos, increase first responder efficiency and effectiveness and aid/assist the emotional recovery of victims, victim's families, first responders and the community."
Gay, a former aide to numerous presidents including Richard Nixon and Gerald Ford and a member of the Overseas Security Advisory Council, said unfortunately a resource like the NRC is crucial.
"These atrocities are not going to go away. This is something that I think America needs," Gay said. "It's the good that came from the bad."

People from around the U.S. and the world have clicked on the website, often in the aftermath of mass shootings, said Terrance Quinlan, a member of NRC's board of directors.
"(People) from hot spots for terrorism have been hitting our website including from United Kingdom, Germany, Italy, Canada and Austria," said Quinlan, an expert in the financial effects of mass shootings.
In the fall of 2014, NRC officials met numerous times with security officers from the Pepsi Center and Town Center at Aurora about installing Israeli-made "smart (light) poles," equipped with infrared and radiation-detecting cameras.
"On a professional level it's a great resource to have," Tim Christiansan, security supervisor at the Pepsi Center, said of the resiliency center.
The NRC was purposely created independently of government control and supervision so it's designed to be an instant resource if needed, said Joe Kahoe, a retired Air Force colonel and co-founder of NRC.
"We didn't want to be encumbered by government bureaucracy," he said.
After the theater shooting, federal guidelines kept Aurora disaster responders waiting for two weeks to get permission to see the database of 19,000 after-action plans that the Federal Emergency Management Agency has compiled from communities around the country.
"Who goes through 19,000 plans of response? Nobody has the time to do that," Kahoe said.
NRC volunteers have sifted through many of FEMA's records and identified the policies and tactics deemed the most beneficial, he said. "We've made it a collection of pearls that are worth diving for," Kahoe said.
Gay has mostly used his own money to create NRC, but more financial support is needed to reach its goals and potential, he said.
NRC needs a permanent researcher, an executive director to field questions from around the country and seek federal and private grants to keep it running full-time. At least $350,000 a year is needed to run the program properly, Kahoe said.
"We've got to create a funding stream," Kahoe said. "There is so much tragedy out there."
Although the NRC is set up to help with the initial disaster response, its recommendations also are designed to help communities in the aftermath.
Often, government disaster grants and charitable donations dry up before officials realize the full scope of community victimization.
That's why the NRC says it's critical for communities to also oversee charitable giving — both to prevent fraud and ensure donations are available to help over the long term.
When a mass shooting happens, those affected include not only the victims and their families, but also first-responders and community residents, Gay said.
All of them can experience debilitating psychological trauma, he said. Many victims with only tangential ties can't afford to pay $100 per hour or more for therapy, Gay said. Their needs are unmet and they are often forgotten, he said.
The NRC recommends designating a committee to handle charitable funds and suggests limiting them to just two — one for victims and their families and another for victims and victim services. And it recommends not distributing all the donations immediately because victims and their families often need support for years.

Fremont County Awarded Federal Funds Under The Emergency Food And Shelter National Board Program (Canon City Daily Record)

Canon City (CO) Daily Record, March 17, 2017

Fremont County has been awarded federal funds under the Emergency Food and Shelter National Board Program

Fremont County has been chosen to receive $14,827 to supplement emergency food and shelter programs in the county.

The selection was made by a national board that is chaired by the U.S. Department of Homeland Security's Federal Emergency Management Agency and consists of representatives from American Red Cross; Catholic Charities, USA; National Council of the Churches of Christ in the USA; The Jewish Federations of North America, The Salvation Army; and United Way Worldwide. The local board was charged to distribute funds appropriated by Congress to help expand the capacity of food and shelter programs in high-need areas around the country.

A local board made up of a Catholic organization; Ministerial Association; Council of Government; a Jewish organization; Salvation Army; and Loaves and Fishes Ministries will determine how the funds awarded to Fremont County are to be distributed among the emergency food and shelter programs run by local service agencies in the area. The local board is responsible for recommending agencies to receive these funds and any additional funds available under this phase of the program.

Under the terms of the grant from the national board, local agencies chosen to receive funds must: 1) be private voluntary non-profits or units of government, 2) be eligible to receive federal funds, 3) have an accounting system, 4) practice nondiscrimination, 5) have demonstrated the capability to deliver emergency food and/or shelter programs, and 6) if they are a private voluntary organization, they must have a voluntary board. Qualifying agencies are urged to apply.

Fremont County has distributed Emergency Food and Shelter funds previously with The Salvation Army, Loaves and Fishes Ministries, and the Cañon City Pregnancy Center.

Public or private voluntary agencies interested in applying for Emergency Food and Shelter Program funds must contact Deidra Clement at 241 Justice Center Road or call 719-275-0593 for an application. The deadline for applications to be received is April 7.

Big Thompson Canyon Road On Track To Reopen By Memorial Day (Associated Press)

March 18, 2017

FORT COLLINS, Colo. (AP) — Work to rebuild the highway through Big Thompson Canyon between Loveland and Estes Park is on schedule and highway officials expect to reopen the road by Memorial Day as planned.

U.S. Highway 34 has been closed since last fall while crews make long-term repairs.

Heavy flooding washed out the route in 2013. The road reopened but needed to be rebuilt.

The Fort Collins Coloradoan reports (http://noconow.co/2nPN2oP) road work will continue this summer and will affect tourist traffic on the winding canyon road.

Information from: Fort Collins Coloradoan, http://www.coloradoan.com

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Flooding – Know the Risks (Kiowa County Press)

http://kiowacountypress.net/content/flooding-%E2%80%93-know-risks

Saturday, March 18, 2017

Note: March 12 through 18 is Flood and Wildfire Safety Week in Colorado. This is the third article in a series on safety and preparedness. See Monday's article here.

Today's topic during this Flood Safety and Wildfire Awareness Week is flooding which develops in the time frame of longer than 6 hours to several days.

There have been some notable floods across the Centennial State:

In early June of 1921, a flood along the Arkansas River devastated the City of Pueblo. Scores of drownings occurred.

Around Memorial Day 1935 catastrophic flooding occurred on the Palmer Divide and the Colorado Springs area, causing millions of dollars of damage, and drowning at least 18 people.

The mid-June 1965 flood was widespread across eastern Colorado, taking several lives, and causing over 500 million dollars of damage.

During late April and early May of 1999, after up to 14 inches of rain fell, a major flood occurred across southeast Colorado from Colorado Springs to La Junta.

In 2013, the historic rains and floods in September caused over 3 billion dollars of damage, and took 9 lives.

In 2014, during May, multiple days of heavy rain and snow caused flooding across many areas of eastern Colorado.

Floods in Colorado can result from rapid snow melt, ice jams, a combination of snow melt and heavy rain, or just heavy rain.

National Weather Service forecast offices in Colorado closely collaborate with regional River Forecast Centers that monitor the Colorado River, South Platte River, Arkansas River, and Rio Grande to come to a consensus on the likelihood of flooding along rivers and large creeks.

The National Weather Service will discuss flood potential in hydrologic outlooks, daily hazardous weather outlooks, and in graphical weather stories on National Weather Service forecast office web sites.

Hydrologic statements may be issued for high flows that are within the banks of a river or large creek.

When flooding is possible on a river or large creek, a Flood Watch will be issued, meaning flooding is possible within the designated watch area.

When flooding is likely or occurring on a river or large creek, a Flood Warning will be issued, meaning flooding is expected or has been reported at designated river forecast points.

Flood Advisories may be issued for minor flooding on rivers and creeks.

An Areal Flood Warning may also be issued for flooding on a river or large creek in areas away from the designated river forecast points.

You can easily monitor potential flooding along rivers in Colorado and large creeks using the Advanced Hydrologic Prediction Service monitoring system. Information on this monitoring system can be obtained from this web site:

http://water.weather.gov/ahps

This monitoring system can be accessed on Colorado National Weather Service forecast office web sites by clicking Rivers and Lakes.

At each river and large creek gauge you can easily look at current and forecast water levels, flood categories, historic crests, and flood impacts. Probabilities of exceedance of certain water levels by week or over the long term are also available.

In general, there will be some time to prepare for river and large creek flooding, and emergency management in your area has plans in place to address flooding issues. Know these plans and how you should act accordingly when Flood Watches and Flood Warnings are in effect.

For more information on flood safety go to:

http://www.floodsafety.noaa.gov

The topic for tomorrow is life-threatening flooding which occurs very quickly, flash floods.

Colorado Flood Safety and Wildfire Awareness Week continues through this Saturday.

Wildfire in Colorado: Where Do You Get Information? (Kiowa County Press)

http://kiowacountypress.net/content/wildfire-colorado-where-do-you-get-information
Saturday, March 18, 2017
Note: March 12 through 18 is Flood and Wildfire Safety Week in Colorado. This is the fifth article in a series on safety and preparedness. See Wednesday's article here

A mixture of large and small wildfires occurred across Colorado in 2016. These fires were due to a mixture of dry conditions, combined with gusty, warm winds and, sometimes, careless fire prevention efforts. There were instances when residents had to be evacuated as a large wildfire moved toward larger communities. Would you know what to do to protect yourself and your loved ones in this situation? In addition, if you live in an area that is susceptible to wildfires, how can you prepare yourself and your home?

To assist in your preparation for fire, the National Weather Service provides a variety of fire weather forecast products. Twice a day in Colorado, fire weather planning forecasts are made from each weather service office serving the state. A Fire Weather Watch may be issued if in the next 12 to 48 hours the forecast includes gusty winds of 25 mph or greater, relative humidities of less than 15 percent for at least three hours, dry lightning, or a combination of

weather and fuel conditions that may make large wildfires possible. A Red Flag Warning will be issued if these same critical fire conditions are forecast within the next 24 hours.

Both Fire Weather Watches and Red Flag Warnings are issued in coordination with land management agencies. The fire weather spot program supports land management agencies for both prescribed burns and for wildfires. A fire weather spot forecast is a detailed forecast for a prescribed burn or an individual fire. For national type 2 or type 1 fires, the National Weather Service will detail an IMET (incident meteorologist), to a fire team to provide onsite weather support and detailed fire forecasts.

If you live in the wildland-urban interface there are a number of actions you can take to reduce your personal fire threat including reducing vegetation near the home and putting a fire-resistant roof on your home.

More information is available from your National Weather Service at:

http://www.nws.noaa.gov/om/fire

or from your Department of Homeland Security at:

http://www.ready.gov/wildfires.

When a wildfire occurs, there may be years of increased flood threat on the burn scar, as a healthy forest can handle an inch to inch and a half of rain with no flood risk. Once the litter and vegetation is removed by a wildfire, as little as a half inch of rain in a short period of time can cause serious, and possibly life threatening flooding.

Colorado Flood Safety and Wildfire Awareness Week continues through this Saturday.

Reopening of flood-damaged Boulder Falls remains slippery goal (Daily Camera)

Earlier projections on repairs proved overly optimistic

http://www.dailycamera.com/news/boulder/ci_30864042/reopening-flood-damaged-boulder-falls-remains-slippery-goal

By Charlie Brennan

Staff Writer

POSTED: 03/19/2017 09:00:00 AM MDT | UPDATED: ABOUT 10 HOURS AGO

It took exactly no time at all on a midweek visit to Boulder Falls to encounter two hikers emerging from the trail in violation of the ongoing post-flood closures there.

One of the two, a University of Colorado junior, said he and his brother had been climbing in the Lower Dream Canyon area, which can also be accessed by way of Sugarloaf Road and Upper Dream Canyon, but can be reached much more quickly by just breezing by the posted Boulder Falls closures. He said he and his brother are hardly alone in doing so.

"Every time I come up here, there's more and more people up here," said the CU student, who declined to give his name. "If I'm climbing here, I just figure I'm going to go in, and if I get hit with a $50 fine, I just figure that's the way it goes."

In terms of fixing the falls trail, it's not going very quickly.

Boulder open space staff last April expressed hopes that the popular Boulder Trail, heavily damaged by the September 2013 flood, could be open by the end of 2016.

In September, reassessment of the situation produced a projection that the reopening could come some time in 2017.

Now, however, comes the news that while advancing the rehab work at the destination 11 miles west of Boulder is very much on the front burner, there are no promises on when Boulder Falls will reopen — beyond the vow that, at some point, that day will come.

"I think it's premature to put a timeline on it," said Phillip Yates, spokesman for Boulder's Open Space and Mountain Parks department. "But as I said before, we're trying to expedite the process. We understand the impact on visitors, and we're working to complete repairs, to minimize extended closures into the future."

Yates said that in 2016, OSMP crews completed "significant" work on Boulder Falls. It included repairing the "landing platform" from which to view the falls, along with rock work in the area.

In normal times, the falls are closed anyway from Nov. 1 to May 1 to conduct scaling work in the area to reduce any danger posed by loose rocks.

As that work has been ongoing, Yates said, "They recognized the need for additional repair work, and that includes substantial work to gabions," which help minimize the incidents of falling rocks. Getting that done, Yates said, is going to take some time.

"This repair work will unfortunately lead to extended closures in the area," Yates said. "And we understand the draw Boulder Falls has for visitors, and we recognize that the area has seen long-term closures, which has decreased visitor experiences for many in our community.

"We recognize its importance, and are working diligently to reopen, while we also complete many other flood-related projects."

The same rugged environment that makes the nearby Dream Canyon environment attractive to climbers contributes to Boulder Falls being a challenge and potentially hazardous for repair crews.

"So as part of the design process, we're going to have to analyze the geology of the area and the potential repair methods. That is going to take some time to complete," Yates said. "It's also important to note that traditional trail building machines can't access this rugged area. And construction feasibility will determine much of the design."

Boulder officials elected to prioritize flood recovery projects that are reimbursable with federal dollars — which Boulder Falls is not.

There are numerous other competing flood recovery projects that remain, some of which were also candidates for federal dollars.

They include the NCAR-Bear Canyon Trail and a Mesa Trail section south of the National Center for Atmospheric Research, which should be completed by late June, repairing flood damage and enabling firefighting and search-and-rescue vehicles to regain access to difficult terrain.

Other remaining projects include the Chautauqua Trail and repairs to the Mesa and Shadow Canyon South trails near Eldorado Springs — likely to begin in late April — as well as repairs along the South Boulder Creek West, Lower Big Bluestem and the North and South Shanahan Fork trails.

As for those who might shrug off the fine incurred for forging on past the Boulder Falls closure signs, the penalty could be well north of $50.

Yates said the penalty imposed for violating the closure order at the falls, which would be determined by a judge, could be up to $1,000 and/or spell 90 days in jail.

MONTANA:

Flood advisories in effect in northeastern Montana (AP; picked up by several outlets)

http://www.greatfallstribune.com/story/news/local/2017/03/18/flood-advisories-effect-northeastern-montana/99360046/
Associated Press 4:25 p.m. MT March 18, 2017
POPLAR, Mont. (AP) — Flood warnings are in effect in northeastern Montana as winter snow pack continues to melt.

The National Weather Service says flooding occurred along the West and Middle Forks of the Poplar River on Friday and that water will work its way downstream toward Poplar over the weekend.
It says melting snow in the Little and Big Snowy Mountains south of Lewiston will also raise the water level in Flatwillow Creek over the weekend.
Overnight temperatures will still be cold enough to freeze water on roadways so drivers are urged to watch out for possible slick spots.

Flooding in Libby (ABC Fox Montana)

http://www.abcfoxmontana.com/story/34943003/flooding-in-libby

Posted: Mar 17, 2017 7:29 PM MDT
Friday, March 17, 2017 9:29 PM EDT
By Maren Siu

LIBBY - Education Way in Libby was closed Friday morning due to flooding.
Lincoln County Emergency Manager Lisa Oedewaldt tells ABCFOX that this type of flooding is not unusual for this time of the year. Usually rain and snow melt creates the floods.

There is minor damage to some homes in Libby, but city and county crews are working fast to put the water back into the canals.

Wet western Montana winter may delay fire season (KBZK TV, Bozeman)

http://www.kbzk.com/story/34945262/wet-western-montana-winter-may-delay-fire-season

Posted: Mar 18, 2017 4:10 PM MDT
By MTN News

MISSOULA - It has been a wet year for western Montana with the National Weather Service announcing that Missoula has experienced its wettest year since 1996.
The Missoula Valley has seen 9.36" of precipitation since the beginning of the water year in October about double the 4" to 5" sees at this time of year.

"This is all very good. Even if we do have a dry early summer, the plants are going to have a lot of moisture built up so it's definitely a good start to the fire season," explained National Weather Service meteorologist Ryan Leach.

While the wet winter will help keep fires down the excess water can also pose a threat. As the snow in higher elevations melt and runs into rivers there is always the possibility of flooding.

One are the National Weather Service is closely watching for flooding is along the Montana/Idaho border. Some flooding has already been seen in the Bitterroot Valley as well as north of Missoula.

NORTH DAKOTA:

Fargo, Grand Forks officials pitch water projects to lawmakers (Bismarck Tribune)

John Hageman Forum News Service
Mar 16, 2017

Elected officials from Red River Valley cities and across North Dakota made their pitch for water project funding during a state legislative budget hearing Thursday.

Amid the waterfall of testimony was a presentation from Fargo City Commissioner Tony Grindberg, who advocated for continued state support of the massive flood diversion project in Fargo-Moorhead. The estimated $2.2 billion project is expected to receive about a fourth of its funding — $570 million — from the state of North Dakota.

Thursday's Senate Appropriations Committee hearing was on the State Water Commission budget, which includes almost $300 million for new projects in the coming two-year funding cycle. Fargo officials are seeking $66.5 million from the state in the 2017-19 biennium, and Grindberg said he was confident funding would come through.

Construction on the Fargo flood project has started, although it has attracted a lawsuit from a group representing upstream property owners. Last month, a federal judge agreed to bring the U.S. Army Corps of Engineers back into the suit.

"The Corps is committed to this project," Col. Sam Calkins of the corps told legislators Thursday. "We're confident we can continue construction and that we'll eventually or ultimately prevail in that litigation."

Like Grindberg, Grand Forks City Council member Ken Vein was optimistic Thursday that the remaining state funds for the city's new water treatment plant will be in place. That project has already started construction.

The state has provided $35 million in the last two funding cycles for the project, and last session lawmakers passed a bill stating their intent to provide the final $30 million in the 2017-19 biennium.

"I feel very confident either way we'll get it," Vein said.

Vein, who is also chairman of the Garrison Diversion Conservancy District, presented lawmakers with plans for a pipeline from the Missouri River to supplement water supplies in central and eastern North Dakota, a project known as the Red River Water Supply Project. He asked for $30 million to keep it on track.

Conceptual design was completed last year, and preliminary design is now in progress, Vein said.

"With continued growth and industrial development, the Red River Valley Water Supply Project will mitigate against drought conditions that could be devastating, foster economic development by meeting municipal, rural and industrial water demands and promote environmental sustainability," Vein said in prepared remarks.

The Senate Appropriations Committee didn't take any immediate action on the budget bill Thursday.

Judge combines 4 tribal suits over Dakota Access pipeline (Bismarck Tribune)

By BLAKE NICHOLSON Associated Press (Bismarck Tribune)
March 17, 2017

BISMARCK, N.D. (AP) — A judge has combined lawsuits filed by four Sioux tribes over the Dakota Access pipeline, streamlining the drawn-out legal battle over the $3.8 billion project to move North Dakota oil to a distribution point in Illinois.

Meanwhile, a federal appeals court could decide this weekend on a tribal request to stop oil from flowing through the pipeline next week.

The neighboring Standing Rock and Cheyenne River tribes teamed up last summer in the main lawsuit against Texas-based pipeline developer Energy Transfer Partners and the U.S. Army Corps of Engineers, the federal agency that granted pipeline permits at more than 200 water crossings, including the Missouri River. The Yankton Sioux also sued last summer, and the Oglala Sioux filed its own lawsuit last month.

The four Dakotas tribes make essentially the same claims: The pipeline threatens cultural sites and the Missouri, from which they get water for drinking and religious practices.

"Consolidating the cases would conserve judicial resources, allow the parties to save time and expense, and enable the court and parties to schedule matters more efficiently," Corps attorneys said in asking U.S. District Judge James Boasberg in Washington, D.C., to lump the cases together.

None of the tribes or ETP objected to the move, and Boasberg granted the request Thursday.

The legal battle lingers even as ETP prepares to launch pipeline operations. Crews are wrapping up final pipe work under Lake Oahe, a Missouri River reservoir in North Dakota, and the company has said oil could flow as early as Monday.

Cheyenne River attorney Nicole Ducheneaux asked the U.S. Court of Appeals for the District of Columbia Circuit to issue by Monday an "emergency" prohibition of any oil flow, until it resolves an appeal of Boasberg's recent decision to not stop final construction. Boasberg also rejected a separate tribal request to stop oil from flowing.

The tribes' appeal rests on the religion argument. Boasberg has said he doesn't think the tribes have a strong case on appeal. He also said ETP would be "substantially harmed" by a delay in pipeline operations.

Both the company and Corps filed court documents Friday opposing the tribal request. The appeals court will make a decision sometime after Friday evening, the deadline it set for attorneys to submit written arguments.

Residents along Mouse River could see flood insurance spike

(MyNDNow.com)
By: Cynthia Hill MyNDNow.com
Posted: Mar 18, 2017 01:20 AM CDT

A re-working of FEMA's flood risk maps could take effect in about two years. FEMA is re-working its maps that determine what properties are within the 100-year flood plane.

Using Minot as an example, the dike system provides protection to about 5-thousand CFS of river flow, but FEMA is likely to say the new 100-year flood level is closer to 10-thousand CFS.

That will move thousands of homes that qualified for the lowest flood insurance rates into a much higher rate class. City Engineer Lance Meyer says the city has been working with FEMA to reduce the impact of the changes as little as possible.

"We've been doing everything we can to help push the process out a little bit to give us more time to construct flood control but also to make sure whatever maps do get developed have the best data available," says Lance Meyer, Minot City Engineer.

The new flood maps are not expected to be in effect for about two years. Meyer says after they take effect, properties protected as the city improves its levee and flood-wall system will again qualify for the lower insurance rates.

SOUTH DAKOTA:

A look at a trial over Missouri River flooding (AP)

Mar 15, 2017 4:13 PM MDT
By The Associated Press (Posted by NEWSCENTER1)

KANSAS CITY, Mo. (AP) - A look at the civil trial over the U.S. Army Corps' stewardship of the Missouri River and landowner claims that the agency's decisions have contributed to devastating floods.

WHAT'S ALLEGED: Several hundred landowners named in the class-action lawsuit filed in 2014 allege in the U.S. Court of Federal Claims that the Army Corps has deemphasized flood control along the Missouri and put more emphasis on habitat restoration, leading to more flooding. The plaintiffs also insist the Corps unconstitutionally deprived them of their land, essentially taking it without compensation.

THE CORPS' STANCE: The federal government argues in court filings that authorities never promised to stop all flooding along the 2,341-mile-long Missouri, and that the Corps' providing

habitat for endangered species didn't exacerbate the inundation six years ago. Officials have said the Corps balances flood control and an array of other potential uses of the river, including shipping, recreation and hydropower.

THE TRIAL: The trial began March 6 in Kansas City, Missouri, and will shift in late April to Washington, D.C., with no decision expected at least until summer, at the earliest.

THE JUDGE: The presiding judge - Nancy Firestone, a former federal prosecutor appointed to the claims court in 1998 - served in the late 1990s as a deputy assistant attorney general in the U.S. Department of Justice's environment and natural resources division after holding top positions in the Environmental Protection Agency, including as a judge of its environmental appeals board. She has Missouri connections, having gotten a bachelor's degree from St. Louis' Washington University and a law degree from the University of Missouri at Kansas City.

UTAH:

No FEMA-related stories

WYOMING:

Mayor Orr unhappy with Civic Center Commons oversight idea (Wyoming Tribune Eagle)

- By James Chilton, Wyoming Tribune Eagle
  Mar 19, 2017



Cheyenne's Mayor Marian Orr speaks during a press conference Nov. 29, 2016, at the Cheyenne Public Safety Center. Blaine McCartney/Wyoming Tribune Eagle

CHEYENNE – Mayor Marian Orr has registered her displeasure about the City Council's introduction last week of an ordinance to create a management team to oversee construction of the city's Civic Center Commons project.

Civic Center Commons, which is set to replace a parking lot just west of the Cheyenne Municipal Building at 2101 O'Neil Ave., has long been lauded as a "crown jewel" of the ongoing West Edge initiative, which seeks to provide infrastructure improvements and quality-of-life amenities to the western portion of downtown Cheyenne.

Of the three West Edge projects designed to date – including Pumphouse Park and the 26th Street stormwater interceptor – Civic Center Commons is the most ambitious. In addition to providing a large space to contain stormwater during a major rain event, the commons also includes many park features conducive to live music events, food truck rallies and other such events.

Design for the project is underway, and funding has been secured through a 2012 sixth-penny sales tax initiative, and grants from the Federal Emergency Management Agency and the State Loan and Investment Board, as well as support from the Wyoming Business Council.

But several council members have been dissatisfied with the pace of work on the project, particularly since December, when the council passed a resolution seeking its "expedient completion." Thus, on March 13, council vice president Mark Rinne introduced an ordinance to create a management team to oversee the project and provide regular reports to the council about how things are proceeding – or why they aren't.

But Mayor Orr has taken umbrage at the ordinance, and made as much clear March 15 when she sent an email to the rest of the City Council. In it, Orr says the city has already made substantial progress on West Edge projects in the weeks since she took office, and she questioned Rinne's decision to craft his ordinance without first expressing his concerns to her.

"Had Dr. Rinne come to me with his concerns and asked for such a team and communication, I certainly would have listened and worked with him, as I have with all of you, so far to date," Orr wrote. "To communicate to me through ordinance is not only inappropriate, it only serves to appear as political grandstanding, and does nothing to foster a working relationship between the mayor and council, but rather the adverse."

Attempts to reach Rinne for a response Friday and Saturday were unsuccessful. But in an interview Friday, Orr sought to elaborate her problems with the ordinance, as well as her concerns with Civic Center Commons.

"I've had several discussions with most of the council members regarding Civic Center Commons, keeping them aware of the timeline we're working with," Orr said. "I've also let them know there was a delay in getting an independent engineering review; it turned out to be more difficult to find an entity that didn't have a previous relationship with the engineering firms in the community."

Orr said her biggest concern with the project is that its most talked-up features – an amphitheater, park space and public open space – appear to have taken precedence over its stormwater drainage aspects, which are actually what has driven much of the grant funding secured to date.

"It's not that Engineering or my office are opposed to a park, but when you have discussions about it, very seldom does anybody talk about drainage," Orr said. "And when it comes to using FEMA funds, we need to be good stewards; we need to make sure that we do right by FEMA. One of the concerns that I raised in a meeting in looking at our grant application, we were specifically asked if there were any known contaminants in the area, and we replied 'no.' But anyone that knows this area knows full well there are contaminants, so at the very least we should have answered 'unknown.'"

Orr acknowledged FEMA has already reviewed the project twice and approved it both times based on its proposed stormwater flood controls. But she wonders whether that opinion may change now that a new administration is overseeing FEMA in Washington, D.C.

Orr noted the $3 million grant approved by FEMA for the project will expire Sept. 30, and she has doubts as to whether the city could realistically have construction done by then. More likely, she believes the city will have to request a one-year extension of the grant – its second so far – by July 1.

"I am concerned with a very big unknown within the FEMA administration, with it being a new administration, what the likelihood of (approving) that request for an extension would be," Orr said. "There's no guarantee they will grant the extension this time, and should we proceed with the project without knowing full well we do, indeed, have that extension? Where does that leave us with funding the project without FEMA funds?"

All that said, Orr is still only one voice when it comes to City Council ordinances, and with six co-sponsors out of nine council members, she may be outnumbered when it comes to whether the oversight group happens.

FEMA-RELATED STORIES:

40 Years Of Budgets Show Shifting National Priorities (Washington Post)

By Gabriel Florit, Kim Soffen, Aaron Steckelberg And Tim Meko

March 17, 2017

In his first budget proposal, released Thursday, President Trump proposed drastic cuts to many of the nation's agencies and programs to offset nearly $60 billion in additional spending on defense, a down payment on the border wall and funding for school choice programs, among other things. If enacted, the proposal would be one of the most dramatic redistributions of funds since Reagan's military build-up during the Cold War in the early 1980s.

Discretionary spending limits, the only portion of the budget addressed by this proposal, are set by congressional budget resolutions. Mandatory spending, by contrast, is set by other laws and primarily includes interest on the debt and entitlement programs such as Social Security and Medicare. Here, the funding level is often determined by the size of the benefit and the eligible population.

Infrastructure

Proposed 2018 budget: $114.4B

The Agriculture Department, Interior Department, Energy Department, Transportation Department and the Department of Housing and Urban Development control much of the nation's vast infrastructure.

These departments, especially HUD, lost significant funding as Reagan took office. His promise to shrink the size of the government included significant reductions in federal housing funds.

Much of the other fluctuation in these budgets has been driven by political and financial turmoil. In the late 1970s, increased oil production in response to the energy crisis caused a spike in the Energy Department's budget. A few years later, in the early 1980s, the "farm crisis" — a period of falling crop prices and lower incomes for farmers — led to large payouts from the Agriculture Department.

More recently, as part of the stimulus following the 2008 financial crisis, many of these departments, most notably Transportation, received large budget increases. Note that though the 2009 budget was set during the Bush administration, the stimulus itself was negotiated and passed by President Obama.

With Trump's 2018 proposal, all of these departments are looking at cuts of between 12 and 21 percent. Much of this money would be taken out of research and climate-change-related programs.

The economy

Proposed 2018 budget: $19B

The Treasury Department and Commerce Department are concerned with the government's finances and the country's economic growth, respectively. Their funding levels are largely driven by the state of the economy and government budgets.

Treasury saw a large bump in spending in the mid 1970s because the department loaned more than $1.3 billion (nearly $6 billion in today's dollars) to New York City. The city government at the time was facing bankruptcy.

The departments' funding similarly responds to nationwide financial crises; after the 2008 housing bubble burst, the Commerce Department got increased funding to respond. Financial agencies outside these departments, such as the FDIC, which insures Americans' bank deposits, also saw spending spikes during that period (though that money is funded by insurance premiums, not Congress).

With Trump's 2018 proposal, Treasury would see a modest 4 percent cut, largely aimed at the IRS's funding. Commerce would see a steeper 16 percent decrease, cutting from many programs that aim to help communities struggling with the effects of climate change or manufacturing automation.

Foreign relations and law enforcement

Proposed 2018 budget: $98.9B

The State Department, the Department of Homeland Security and the Department of Justice, which focus on diplomacy and law enforcement, have grown almost continuously for the past 40 years.

A major disruption came after the 2001 terrorist attacks, after which the Department of Homeland Security was founded. (The number you're seeing before that date is the funding allocated to all the then-independent agencies that are now part of DHS, like Immigration and Customs Enforcement.) From 2001 to 2002, the funding for these programs — which primarily focus on counterterrorism and immigration — nearly doubled. A smaller bump occurred in 2006 as part of FEMA's response to Hurricane Katrina.

Trump's budget proposal would make substantial changes to some of these departments. DHS is one of three departments that would see an increase in funding, which would be put toward building a wall along the southern border and increasing the number of agents throughout the immigration enforcement system, among other things. In total, the department's funding would increase by 7 percent.

The State Department, on the other hand, would face deeper cuts than any other department, losing 29 percent of its budget. In line with Trump's "America first" agenda, the budget proposal slashed foreign military and humanitarian aid, as well as funding to the United Nations and other international organizations. The proposal would inflict milder cuts on the Justice Department — 4 percent — and shifts money away from prison construction toward counterterrorism and the system for removing undocumented immigrants from the country.

Health, education and labor

Proposed 2018 budget: $216.5B

The Department of Veterans Affairs, the Education Department, the Department of Health and Human Services and the Labor Department have among the largest discretionary budgets in the government.

Like many other portions of the budget, they often fluctuate with the state of the economy. The biggest spikes came after the 2008 financial crisis. Between 2008 and 2009, the Labor Department's budget went up by about 50 percent to fund more job training programs as part of the stimulus. The stimulus also increased HHS's budget by half, funding everything from the promotion of medical technology to Head Start.

In Trump's proposal, these departments fared quite differently. VA would see a 6 percent increase in funding to ease the backlog in the veterans' health-care system. The Education Department is slated for a 14 percent decrease overall but an increase in funding for programs related to school choice. The Labor Department and HHS budgets would decrease by 21 and 18 percent, respectively.

Independent agencies

Proposed 2018 budget: $66.9B

The agencies' functions vary as widely as their budgets, and they have faced many different peaks and troughs over the past 40 years.

The 2009 stimulus had one of the biggest impacts. The budget for the General Services Administration, which helps the other agencies function, went up nearly twentyfold between 2008 and 2009, in part funding the construction and repair of government buildings around the country. The Environmental Protection Agency's budget nearly doubled, and in the aggregate, agency budgets went up by about a third.

But many of those increases have since been reversed, and a number of these agencies face cuts in Trump's budget. The EPA would take one of the hardest hits, losing 31 percent of its 2017 budget and a fifth of its workforce. These cuts are aimed at the agency's research programs, particularly with regard to climate change and environmental cleanup programs. The proposal dictates smaller decreases for other agencies, like the Small Business Administration and NASA, which would receive 5 and 1 percent budget cuts, respectively.

Defense

Proposed 2018 budget: $639B

Defense has long been one of the largest items in the budget, this year comprising nearly 50 percent of discretionary spending. The largest driver of defense spending over the past 40 years has been war.

Spending increased by nearly two-thirds during the Reagan administration as he built up the military during the Cold War. It increased drastically again during the Bush administration, largely to fund the military operations in Afghanistan and Iraq.

Trump's proposal would increase defense spending by 9 percent, about $52 billion. That's a bit larger than what Obama was projecting for 2018, and smaller than what congressional defense hawks wanted, according to Todd Harrison, the director of Defense Budget Analysis at the Center for Strategic and International Studies. "It's in line with what you're expecting to see," he said.

Whether the changes in Trump's proposal actually get enacted is an open question. Congress writes the budget and typically makes changes to the president's proposal. Last year, lawmakers disregarded Obama's budget altogether.

Despite a Republican-controlled Congress, Trump's cuts may not pass so easily. Republican lawmakers, including Sen. Rob Portman (Ohio), Sen. Dean Heller (Nev.) and Rep. Leonard Lance (N.J.), have criticized portions of the budget. And Sen. Lindsey O. Graham (R-S.C.) did not mince words after seeing a blueprint: "It's dead on arrival."

Sources: Center for a Responsible Federal Budget, The Office of Management and Budget

Note: Figures have been adjusted for inflation.

Region VIII Clips
Monday, March 20, 2017

ANALYSIS

- *Colorado:* Many stories reported on the Sunshine Fire near Boulder, as well as other wildfires around the state. The Sunshine Fire also made the news on NBC, CBS, ABC, the *Washington Post* and *USA Today*. … A National Resiliency Center has been set up to help communities deal with the aftermath of mass shootings… Fremont County received a grant from the Emergency Food and Shelter program…. The Big Thompson Canyon road, damaged in the 2013 floods, is on track to open by Memorial Day… The *Kiowa County Press* has been carrying stories on preparedness and where to get information about potential disasters… Repairs to a popular local trail damaged in the 2013 floods have been delayed as Boulder prioritizes projects that are eligible for federal funding.
- *Montana:* Flood advisories were in effect in NE Montana, and flooding has occurred in Libby…. A Bozeman TV station noted that the wet weather should delay the start of fire season.
- *North Dakota:* Officials from the Red River Valley made their pitch to the state legislature for continued funding of the Fargo-Moorhead diversion project. A separate project to pipe water from the Missouri to the eastern and central parts of the state has also been proposed. … Four tribal lawsuits trying to stop the Dakota Access pipeline have been combined into one. Oil could begin flowing today. … A web story notes that some homes along the Mouse River may see higher flood insurance rates when a new map goes into effect in a couple years.
- *South Dakota:* An AP story summarizing the lawsuit against the Corps of Engineers for the 2011 Missouri River flooding is included.
- *Utah:* No FEMA-related stories
- *Wyoming:* Cheyenne Mayor Marian Orr told the city council her concerns about whether a FEMA grant would still be available under the new administration given that construction will likely not be done in timely fashion…
- *Other FEMA-related stories:* A *Washington Post* summary of the proposed federal budget includes a summary of the proposals for DHS and the SBA.

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Colorado group works to help cities cope with Aurora-like mass shootings (Denver Post)

Fremont County Awarded Federal Funds Under The Emergency Food And Shelter National Board Program (Canon City Daily Record)

Big Thompson Canyon Road On Track To Reopen By Memorial Day (Associated Press)

Flooding – Know the Risks (Kiowa County Press)

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Reopening of flood-damaged Boulder Falls remains slippery goal (Daily Camera)

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Flood advisories in effect in northeastern Montana (AP; picked up by several outlets)

Flooding in Libby (ABC Fox Montana)

Wet western Montana winter may delay fire season (KBZK TV, Bozeman)

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Fargo, Grand Forks officials pitch water projects to lawmakers (Bismarck Tribune)

Judge combines 4 tribal suits over Dakota Access pipeline (Bismarck Tribune)

Residents along Mouse River could see flood insurance spike (MyNDNow.com)

SOUTH DAKOTA:

A look at a trial over Missouri River flooding (AP)

UTAH:

No FEMA-related stories

WYOMING:

Mayor Orr unhappy with Civic Center Commons oversight idea (Wyoming Tribune Eagle)

FEMA-RELATED STORIES
You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

40 Years Of Budgets Show Shifting National Priorities (Washington Post)

STORIES

COLORADO:

Officials suspect human cause in Boulder's Sunshine fire (Denver Post – Multiple Stories across Colorado regarding the Sunshine fire)

The fire has scorched 62 acres and is now 50 percent contained, officials said

http://www.denverpost.com/2017/03/19/sunshine-fire-boulder-updates/

by RJ Sangosti, The Denver Post

The Sunshine fire that has been burning west of Boulder since early Sunday morning appears to be human-caused, Boulder County sheriff's officials said late in the day. The fire has scorched 62 acres and is now 50 percent contained, officials said.

Cmdr. Mike Wagner said the general area where the fire started, at Sunshine Canyon Road and Timber Trail, has a network of unofficial "social" trails and is known to have "lots of transient campsites."

The Boulder Office of Emergency Management said firefighters plan to monitor the perimeter of the 62-acre fire and focus on protecting structures overnight. No structures have been damaged. Evacuation orders for residents of 426 homes remain in place.

Crews hope to contain the blaze fully on Monday.

Wagner said residents of the more than 400 homes evacuated early this morning were prohibited from returning at night, with high winds forecast around midnight. Re-evacuating at night is more difficult, he said.

“Things get exponentially more complex in the dark,” he said.

Fire officials plan to reassess the evacuations in the morning, with an update expected around 8 a.m., Wagner said.

“They’re hoping they can keep control of it overnight and really start mopping up tomorrow,” he said.

No homes or structures have been damaged or destroyed, officials said, and there have been no reported injuries.

The contained area is off the “heel” of the fire near Sunshine Canyon Drive and the Centennial Trailhead, officials said.

Onlookers gathered at a roadblock on Fourth Street and Mapleton Avenue just east of Sunshine Canyon and worried the fire would spread into town or that they would be evacuated. But Belle Star, a resident of Boulder for the past 17 years, said she was not so scared while taking shelter at East Boulder Community Center.

“I woke up to the sound of pounding at my front door at 5 a.m., and policemen were meticulous about making sure everybody in my condo was out,” she said, explaining that officials wrapped yellow caution tape around door handles indicating they had spoken with a resident. “I grabbed my sister and my cat and I left. Your priorities change when they want you to act fast.”

Star lives at Fourth and Pearl Streets and said she has experienced other natural disasters before, including the Boulder Flood in 2013 and several fires. She said her main concern was the wind picking up and spreading the fire.

“They might have it out by tonight, but you never know,” she said. “It all depends on the wind and which way it blows.”

Wagner said: “I think it really hinges on what the weather does tonight. … We’re not able to utilize aircraft at night, and evacuations are harder.”

Officials were concerned earlier in the day about gusting winds because the fire was within a mile of downtown.

The Boulder Office of Emergency Management placed more than 1,000 phone calls ordering predawn evacuations. The fire was reported about 2:30 a.m. Sunday. The calls resulted in 426 homes being evacuated.

Six aircraft dropped water and slurry, said Barb Halpin, a spokeswoman for the Boulder Office of Emergency Management. Residents were warned to avoid Wonderland Lake, where water refills were conducted.

Gov. John Hickenlooper authorized support from the Colorado National Guard, including equipment such as two UH-60 Black Hawk helicopters, one CH-47 Chinook helicopter and a refueling truck from the Colorado Army National Guard.

Aircraft from Buckley Air Force Base were assisting.

The OEM placed about 3,700 calls to those on pre-evacuation notice, telling residents to be prepared to leave. About 8 p.m., 836 homes remained on pre-evacuation.

Police were patrolling the area at night to address concerns about possible burglaries to evacuated homes.

Wagner said 250 state and local firefighters and 50 fire vehicles were involved throughout the day Sunday. One firefighter told Wagner that there was no moisture in the soil of the burn area and said it was like June.

The Boulder office's website experienced high traffic and intermittently dropped offline during the day. Users were asked to refresh often or get information on Twitter at @BoulderOEM or on Facebook.

Conditions are ripe for fire throughout the Front Range, said Bernie Meier, meteorologist with the National Weather Service in Boulder. Boulder had a record 80-degree high Saturday, breaking the record of 77 for March 18 set in 1907.

Winds were light, about 5 mph at 8:30 a.m., but by 11 a.m., the weather service was recording gusts of 40 mph, with sustained winds of 5 to 10 mph pushing the flames in the wooded area a couple of miles west of Pearl Street.

Humidty was low, at 14 percent.

The fire was first reported on the mountainside near Sunshine Canyon and Timber Lane when someone noticed "glowing on the mountain, and we sent deputies," said Gabi Boerkircher, a spokeswoman with the Boulder Office of Emergency Management.

Boulder County Public Health advises people to avoid outdoor activities if they can see or smell smoke.

Some residents in the pre-evacuation zone in the Highland neighborhood were watching the fire from Eben G. Fine Park and waiting to see if the wind picked up before packing.

Ben Egner said that although he hadn't packed anything yet, he has a list in his head that includes musical instruments, books, his hard drive and his dog, Petunia. He said he found out about the fire after getting a text from a neighbor early this morning.

For another neighbor, Beth Prehn, it was a phone call from a friend at 5:30 a.m. that alerted her. At about 7 a.m., she took a picture of flames lighting up Sunshine Canyon.

"That was scary," she said.

Now, looking at smoke instead of flames, "I feel a lot better," she said.

Officials closed Boulder Canyon Drive to all traffic.

The general evacuation perimeter is Poorman Road to the west, Fourth Street in the city of Boulder to the east, Boulder Canyon Drive to the south and Sunshine Canyon Drive to the north, according to the sheriff's office. Traffic is being rerouted on a portion of Boulder Canyon Drive at Sixth Avenue, down Arapahoe, and returning to Boulder Canyon Drive, the office of emergency management said.

Within the city of Boulder, the area of Fourth Street east to Broadway, and Mapleton Avenue to Canyon Boulevard are on pre-evacuation notice.

A Public Call Center line is open for non-emergency calls: 303-413-7730.

Residents ordered to evacuate can use the East Boulder Community Center, 5660 Sioux Drive.

Large animals can be evacuated to the Boulder County Fairgrounds. Small animals can be taken to the East Boulder Community Center, but residents are asked to bring crates if possible.



Sunshine fire timelapse from overlook off Boulder turnpike, near canyon
Denver Post

Multiple fire agencies responded, including the Boulder Rural Fire Protection District, the Boulder Fire Department, the Greeley Fire Department and the Sheriff's Fire Management Program. The Denver Fire Department has dispatched five engines and 21 workers.

Seth Frankel, who was warned that he and his family may need to evacuate, said he had packed up "generations of things" that can't be replaced and was ready to go if the air quality got worse.

He said smoke was pouring toward neighborhoods and many dead trees were combusting and sending black smoke into the air less than a half-mile from his home. But he and his wife, a Boulder native, and three daughters have dealt with fires and floods before.

"It's always alarming and always on your mind, but it's not an uncommon sensation around here," said Frankel, who has lived in Boulder for 20 years.

Frankel got word of the fire early Sunday from a neighbor who received a warning call, and he was outside with neighbors watching the flames and smoke. But he let his daughters, 9, 11 and 13, sleep in.

"It's still alarming, but there's no panic," Frankel said. "We will be long since gone when parents are no longer smiling."

The Associated Press contributed to this report.

Hundreds evacuated in Colorado as firefighters battle 'Sunshine Fire' (Fox 6 Now)

http://fox6now.com/2017/03/20/hundreds-evacuated-in-colorado-as-firefighters-battle-sunshine-fire/

Posted 6:07 am, March 20, 2017, by CNN Wire Service, Updated at 07:31AM, March 20, 2017

Firefighters worked into the night to contain a wildfire in the mountains west of Boulder, Colorado, that forced evacuations from hundreds of homes Sunday.

Against the backdrop of smoke billowing into the sky, firefighters managed to contain 50% of the relatively small but potentially destructive blaze by late Sunday evening.

With flames sizzling at the edge of Sunshine Canyon, crews planned to keep a close watch on the perimeter of the 62-acre fire overnight, the Boulder Office of Emergency Management (OEM) said.

"There was minimal spread within the footprint," Cmdr. Mike Wagner of the Boulder County Sheriff's Office said Sunday.

A total of 426 homes were evacuated before dawn Sunday, according to OEM officials. The mandatory evacuation remained in place into Monday morning.

"The (weather) forecast is a little concerning," Wagner said.

Unseasonable warm temperatures, breezy conditions and low humidity will increase the danger of the so-called Sunshine Fire going into Monday, the National Weather Service warns.

More than 250 personnel from across the Denver metropolitan worked to put out hotspots and flare-ups after the OEM received a 911 call about the fire shortly after midnight Sunday, officials said.

There have been no reports of property loss, structural damage or injuries, OEM officials said.

Authorities are investigating the cause of the fire.

CNN's Sheena Jones and Tina Burnside contributed to this report.

Crews responding to 3 separate fires in Park County (KOAA News)

http://www.koaa.com/story/34949791/crews-responding-to-3-separate-fires-in-park-county

Posted: Mar 19, 2017 6:12 PM MDT Sunday, March 19, 2017 8:12 PM EDT

-

Crews are responding to three separate fires in Park County, according to Park County officials on Twitter.

A 100+ acre fire is burning on a gun range west of Indian Mountain subdivision. A level one evacuation is in place for residents of the subdivision.

Another fire is burning near the McCurdy Trail in the Lost Park Wilderness Area.

Highway 9 is closed near Hartsel because of a hay truck fire.

This is a developing story and will be updated as more information becomes available.

Weld County fire burns more than 50 acres (Denver Post)

http://www.denverpost.com/2017/03/19/weld-county-fire-burns-more-than-50-acres/
By Hayley Sanchez | hsanchez@denverpost.com | The Denver Post
PUBLISHED: March 19, 2017 at 9:38 pm | UPDATED: March 19, 2017 at 11:43 pm

A fire was started Sunday evening between Lochbuie and Brighton from somebody shooting a gun.

The fire is estimated to have burned more than 50 acres in Weld County but is under control, said Natalie Ridderbos, Brighton Fire Rescue's spokeswoman.

The fire started around 6 p.m. at County Road 4 and Freestone Street. Fire crews were still working on hot spots at 7:30 p.m., but windy and dry conditions contributed to the fire's rapid spread.

No structures were threatened and no injuries have been reported, Ridderbos said. No suspects are currently under investigation.

Colorado group works to help cities cope with Aurora-like mass shootings (Denver Post)

The National Resiliency Center has compiled a blueprint of best practices to help manage the chaos that follows a mass shooting or disaster

http://www.denverpost.com/2017/03/20/national-resiliency-center-helps-cities-mass-shootings/
By Kirk Mitchell | kmitchell@denverpost.com | The Denver Post
March 20, 2017 at 12:01 am

In the 13 years between the Columbine High School massacre and the Aurora theater attack, mass shootings became so common in the U.S. that they were no longer unthinkable.

In 2016, there were 354 shootings in which four or more people were murdered, plus 49 school shootings and stabbings, said John Gay, chairman of the Aurora Key Community Response Team, who led the effort to create the National Resiliency Center.

When a crisis happens, from a mass shooting to natural disaster, most cities are unprepared and overwhelmed, Gay said. For example, when 12 people were killed and more than 70 injured at an Aurora movie theater in 2012, rescue efforts were hampered by traffic jams created as emergency responders rushed to the scene while moviegoers fled the theater multiplex.

Two days after the shooting, the idea for creating the National Resiliency Center was planted when Gay met with then-President Barack Obama and Gov. John Hickenlooper at the University of Colorado Hospital, where many of the injured were treated.

"(Obama and Hickenlooper) said we need to create something people can go to for information," Gay said.

So Gay worked with several emergency response experts to create the National Resiliency Center, a website that has compiled a blueprint of best practices to help manage the chaos.

The site provides action plans for incident commanders and other local, state and federal officials with detailed lists of recommendations for handling both the initial incident and its aftermath. Those recommendations range from setting up incident command centers to handling unrelenting media inquiries and managing government grants and charitable donations.

"The goal is to reduce the chaos and the NRC protocols address issues rarely found in community, state and federal disaster plans," the website says. "Following the NRC advice can help reduce crisis chaos, increase first responder efficiency and effectiveness and aid/assist the emotional recovery of victims, victim's families, first responders and the community."

Gay, a former aide to numerous presidents including Richard Nixon and Gerald Ford and a member of the Overseas Security Advisory Council, said unfortunately a resource like the NRC is crucial.

"These atrocities are not going to go away. This is something that I think America needs," Gay said. "It's the good that came from the bad."

People from around the U.S. and the world have clicked on the website, often in the aftermath of mass shootings, said Terrance Quinlan, a member of NRC's board of directors.

"(People) from hot spots for terrorism have been hitting our website including from United Kingdom, Germany, Italy, Canada and Austria," said Quinlan, an expert in the financial effects of mass shootings.

In the fall of 2014, NRC officials met numerous times with security officers from the Pepsi Center and Town Center at Aurora about installing Israeli-made "smart (light) poles," equipped with infrared and radiation-detecting cameras.

"On a professional level it's a great resource to have," Tim Christiansan, security supervisor at the Pepsi Center, said of the resiliency center.

The NRC was purposely created independently of government control and supervision so it's designed to be an instant resource if needed, said Joe Kahoe, a retired Air Force colonel and co-founder of NRC.

"We didn't want to be encumbered by government bureaucracy," he said.

After the theater shooting, federal guidelines kept Aurora disaster responders waiting for two weeks to get permission to see the database of 19,000 after-action plans that the Federal Emergency Management Agency has compiled from communities around the country.

"Who goes through 19,000 plans of response? Nobody has the time to do that," Kahoe said.

NRC volunteers have sifted through many of FEMA's records and identified the policies and tactics deemed the most beneficial, he said. "We've made it a collection of pearls that are worth diving for," Kahoe said.

Gay has mostly used his own money to create NRC, but more financial support is needed to reach its goals and potential, he said.

NRC needs a permanent researcher, an executive director to field questions from around the country and seek federal and private grants to keep it running full-time. At least $350,000 a year is needed to run the program properly, Kahoe said.

"We've got to create a funding stream," Kahoe said. "There is so much tragedy out there."

Although the NRC is set up to help with the initial disaster response, its recommendations also are designed to help communities in the aftermath.

Often, government disaster grants and charitable donations dry up before officials realize the full scope of community victimization.

That's why the NRC says it's critical for communities to also oversee charitable giving — both to prevent fraud and ensure donations are available to help over the long term.

When a mass shooting happens, those affected include not only the victims and their families, but also first-responders and community residents, Gay said.

All of them can experience debilitating psychological trauma, he said. Many victims with only tangential ties can't afford to pay $100 per hour or more for therapy, Gay said. Their needs are unmet and they are often forgotten, he said.

The NRC recommends designating a committee to handle charitable funds and suggests limiting them to just two — one for victims and their families and another for victims and victim services. And it recommends not distributing all the donations immediately because victims and their families often need support for years.

Fremont County Awarded Federal Funds Under The Emergency Food And Shelter National Board Program (Canon City Daily Record)

Canon City (CO) Daily Record, March 17, 2017

Fremont County has been awarded federal funds under the Emergency Food and Shelter National Board Program

Fremont County has been chosen to receive $14,827 to supplement emergency food and shelter programs in the county.

The selection was made by a national board that is chaired by the U.S. Department of Homeland Security's Federal Emergency Management Agency and consists of representatives from American Red Cross; Catholic Charities, USA; National Council of the Churches of Christ in the USA; The Jewish Federations of North America, The Salvation Army; and United Way Worldwide. The local board was charged to distribute funds appropriated by Congress to help expand the capacity of food and shelter programs in high-need areas around the country.

A local board made up of a Catholic organization; Ministerial Association; Council of Government; a Jewish organization; Salvation Army; and Loaves and Fishes Ministries will determine how the funds awarded to Fremont County are to be distributed among the emergency food and shelter programs run by local service agencies in the area. The local board is responsible for recommending agencies to receive these funds and any additional funds available under this phase of the program.

Under the terms of the grant from the national board, local agencies chosen to receive funds must: 1) be private voluntary non-profits or units of government, 2) be eligible to receive federal funds, 3) have an accounting system, 4) practice nondiscrimination, 5) have demonstrated the capability to deliver emergency food and/or shelter programs, and 6) if they are a private voluntary organization, they must have a voluntary board. Qualifying agencies are urged to apply.

Fremont County has distributed Emergency Food and Shelter funds previously with The Salvation Army, Loaves and Fishes Ministries, and the Cañon City Pregnancy Center.

Public or private voluntary agencies interested in applying for Emergency Food and Shelter Program funds must contact Deidra Clement at 241 Justice Center Road or call 719-275-0593 for an application. The deadline for applications to be received is April 7.

Big Thompson Canyon Road On Track To Reopen By Memorial Day (Associated Press)

March 18, 2017

FORT COLLINS, Colo. (AP) — Work to rebuild the highway through Big Thompson Canyon between Loveland and Estes Park is on schedule and highway officials expect to reopen the road by Memorial Day as planned.

U.S. Highway 34 has been closed since last fall while crews make long-term repairs.

Heavy flooding washed out the route in 2013. The road reopened but needed to be rebuilt.

The Fort Collins Coloradoan reports (http://noconow.co/2nPN2oP) road work will continue this summer and will affect tourist traffic on the winding canyon road.

Information from: Fort Collins Coloradoan, http://www.coloradoan.com

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Flooding – Know the Risks (Kiowa County Press)

http://kiowacountypress.net/content/flooding-%E2%80%93-know-risks

Saturday, March 18, 2017
Note: March 12 through 18 is Flood and Wildfire Safety Week in Colorado. This is the third article in a series on safety and preparedness. See Monday's article here.

Today's topic during this Flood Safety and Wildfire Awareness Week is flooding which develops in the time frame of longer than 6 hours to several days.

There have been some notable floods across the Centennial State:

In early June of 1921, a flood along the Arkansas River devastated the City of Pueblo. Scores of drownings occurred.

Around Memorial Day 1935 catastrophic flooding occurred on the Palmer Divide and the Colorado Springs area, causing millions of dollars of damage, and drowning at least 18 people.

The mid-June 1965 flood was widespread across eastern Colorado, taking several lives, and causing over 500 million dollars of damage.

During late April and early May of 1999, after up to 14 inches of rain fell, a major flood occurred across southeast Colorado from Colorado Springs to La Junta.

In 2013, the historic rains and floods in September caused over 3 billion dollars of damage, and took 9 lives.

In 2014, during May, multiple days of heavy rain and snow caused flooding across many areas of eastern Colorado.

Floods in Colorado can result from rapid snow melt, ice jams, a combination of snow melt and heavy rain, or just heavy rain.

National Weather Service forecast offices in Colorado closely collaborate with regional River Forecast Centers that monitor the Colorado River, South Platte River, Arkansas River, and Rio Grande to come to a consensus on the likelihood of flooding along rivers and large creeks.

The National Weather Service will discuss flood potential in hydrologic outlooks, daily hazardous weather outlooks, and in graphical weather stories on National Weather Service forecast office web sites.

Hydrologic statements may be issued for high flows that are within the banks of a river or large creek.

When flooding is possible on a river or large creek, a Flood Watch will be issued, meaning flooding is possible within the designated watch area.

When flooding is likely or occurring on a river or large creek, a Flood Warning will be issued, meaning flooding is expected or has been reported at designated river forecast points.

Flood Advisories may be issued for minor flooding on rivers and creeks.

An Areal Flood Warning may also be issued for flooding on a river or large creek in areas away from the designated river forecast points.

You can easily monitor potential flooding along rivers in Colorado and large creeks using the Advanced Hydrologic Prediction Service monitoring system. Information on this monitoring system can be obtained from this web site:

http://water.weather.gov/ahps

This monitoring system can be accessed on Colorado National Weather Service forecast office web sites by clicking Rivers and Lakes.

At each river and large creek gauge you can easily look at current and forecast water levels, flood categories, historic crests, and flood impacts. Probabilities of exceedance of certain water levels by week or over the long term are also available.

In general, there will be some time to prepare for river and large creek flooding, and emergency management in your area has plans in place to address flooding issues. Know these plans and how you should act accordingly when Flood Watches and Flood Warnings are in effect.

For more information on flood safety go to:

http://www.floodsafety.noaa.gov

The topic for tomorrow is life-threatening flooding which occurs very quickly, flash floods.

Colorado Flood Safety and Wildfire Awareness Week continues through this Saturday.

Wildfire in Colorado: Where Do You Get Information? (Kiowa County Press)

http://kiowacountypress.net/content/wildfire-colorado-where-do-you-get-information
Saturday, March 18, 2017
Note: March 12 through 18 is Flood and Wildfire Safety Week in Colorado. This is the fifth article in a series on safety and preparedness. See Wednesday's article here

A mixture of large and small wildfires occurred across Colorado in 2016. These fires were due to a mixture of dry conditions, combined with gusty, warm winds and, sometimes, careless fire prevention efforts. There were instances when residents had to be evacuated as a large wildfire moved toward larger communities. Would you know what to do to protect yourself and your

loved ones in this situation? In addition, if you live in an area that is susceptible to wildfires, how can you prepare yourself and your home?

To assist in your preparation for fire, the National Weather Service provides a variety of fire weather forecast products. Twice a day in Colorado, fire weather planning forecasts are made from each weather service office serving the state. A Fire Weather Watch may be issued if in the next 12 to 48 hours the forecast includes gusty winds of 25 mph or greater, relative humidities of less than 15 percent for at least three hours, dry lightning, or a combination of weather and fuel conditions that may make large wildfires possible. A Red Flag Warning will be issued if these same critical fire conditions are forecast within the next 24 hours.

Both Fire Weather Watches and Red Flag Warnings are issued in coordination with land management agencies. The fire weather spot program supports land management agencies for both prescribed burns and for wildfires. A fire weather spot forecast is a detailed forecast for a prescribed burn or an individual fire. For national type 2 or type 1 fires, the National Weather Service will detail an IMET (incident meteorologist), to a fire team to provide onsite weather support and detailed fire forecasts.

If you live in the wildland-urban interface there are a number of actions you can take to reduce your personal fire threat including reducing vegetation near the home and putting a fire-resistant roof on your home.

More information is available from your National Weather Service at:

http://www.nws.noaa.gov/om/fire

or from your Department of Homeland Security at:

http://www.ready.gov/wildfires.

When a wildfire occurs, there may be years of increased flood threat on the burn scar, as a healthy forest can handle an inch to inch and a half of rain with no flood risk. Once the litter and vegetation is removed by a wildfire, as little as a half inch of rain in a short period of time can cause serious, and possibly life threatening flooding.

Colorado Flood Safety and Wildfire Awareness Week continues through this Saturday.

Reopening of flood-damaged Boulder Falls remains slippery goal (Daily Camera)

Earlier projections on repairs proved overly optimistic

http://www.dailycamera.com/news/boulder/ci_30864042/reopening-flood-damaged-boulder-falls-remains-slippery-goal

By Charlie Brennan
Staff Writer

POSTED: 03/19/2017 09:00:00 AM MDT | UPDATED: ABOUT 10 HOURS AGO

It took exactly no time at all on a midweek visit to Boulder Falls to encounter two hikers emerging from the trail in violation of the ongoing post-flood closures there.

One of the two, a University of Colorado junior, said he and his brother had been climbing in the Lower Dream Canyon area, which can also be accessed by way of Sugarloaf Road and Upper Dream Canyon, but can be reached much more quickly by just breezing by the posted Boulder Falls closures. He said he and his brother are hardly alone in doing so.

"Every time I come up here, there's more and more people up here," said the CU student, who declined to give his name. "If I'm climbing here, I just figure I'm going to go in, and if I get hit with a $50 fine, I just figure that's the way it goes."

In terms of fixing the falls trail, it's not going very quickly.

Boulder open space staff last April expressed hopes that the popular Boulder Trail, heavily damaged by the September 2013 flood, could be open by the end of 2016.

In September, reassessment of the situation produced a projection that the reopening could come some time in 2017.

Now, however, comes the news that while advancing the rehab work at the destination 11 miles west of Boulder is very much on the front burner, there are no promises on when Boulder Falls will reopen — beyond the vow that, at some point, that day will come.

"I think it's premature to put a timeline on it," said Phillip Yates, spokesman for Boulder's Open Space and Mountain Parks department. "But as I said before, we're trying to expedite the process. We understand the impact on visitors, and we're working to complete repairs, to minimize extended closures into the future."

Yates said that in 2016, OSMP crews completed "significant" work on Boulder Falls. It included repairing the "landing platform" from which to view the falls, along with rock work in the area.

In normal times, the falls are closed anyway from Nov. 1 to May 1 to conduct scaling work in the area to reduce any danger posed by loose rocks.

As that work has been ongoing, Yates said, "They recognized the need for additional repair work, and that includes substantial work to gabions," which help minimize the incidents of falling rocks. Getting that done, Yates said, is going to take some time.

"This repair work will unfortunately lead to extended closures in the area," Yates said. "And we understand the draw Boulder Falls has for visitors, and we recognize that the area has seen long-term closures, which has decreased visitor experiences for many in our community.

"We recognize its importance, and are working diligently to reopen, while we also complete many other flood-related projects."

The same rugged environment that makes the nearby Dream Canyon environment attractive to climbers contributes to Boulder Falls being a challenge and potentially hazardous for repair crews.

"So as part of the design process, we're going to have to analyze the geology of the area and the potential repair methods. That is going to take some time to complete," Yates said. "It's also important to note that traditional trail building machines can't access this rugged area. And construction feasibility will determine much of the design."

Boulder officials elected to prioritize flood recovery projects that are reimbursable with federal dollars — which Boulder Falls is not.

There are numerous other competing flood recovery projects that remain, some of which were also candidates for federal dollars.

They include the NCAR-Bear Canyon Trail and a Mesa Trail section south of the National Center for Atmospheric Research, which should be completed by late June, repairing flood damage and enabling firefighting and search-and-rescue vehicles to regain access to difficult terrain.

Other remaining projects include the Chautauqua Trail and repairs to the Mesa and Shadow Canyon South trails near Eldorado Springs — likely to begin in late April — as well as repairs along the South Boulder Creek West, Lower Big Bluestem and the North and South Shanahan Fork trails.

As for those who might shrug off the fine incurred for forging on past the Boulder Falls closure signs, the penalty could be well north of $50.

Yates said the penalty imposed for violating the closure order at the falls, which would be determined by a judge, could be up to $1,000 and/or spell 90 days in jail.

MONTANA:

Flood advisories in effect in northeastern Montana (AP; picked up by several outlets)

http://www.greatfallstribune.com/story/news/local/2017/03/18/flood-advisories-effect-northeastern-montana/99360046/

Associated Press 4:25 p.m. MT March 18, 2017

POPLAR, Mont. (AP) — Flood warnings are in effect in northeastern Montana as winter snow pack continues to melt.

The National Weather Service says flooding occurred along the West and Middle Forks of the Poplar River on Friday and that water will work its way downstream toward Poplar over the weekend.

It says melting snow in the Little and Big Snowy Mountains south of Lewiston will also raise the water level in Flatwillow Creek over the weekend.

Overnight temperatures will still be cold enough to freeze water on roadways so drivers are urged to watch out for possible slick spots.

Flooding in Libby (ABC Fox Montana)

http://www.abcfoxmontana.com/story/34943003/flooding-in-libby

Posted: Mar 17, 2017 7:29 PM MDT
Friday, March 17, 2017 9:29 PM EDT
By Maren Siu

LIBBY - Education Way in Libby was closed Friday morning due to flooding.

Lincoln County Emergency Manager Lisa Oedewaldt tells ABCFOX that this type of flooding is not unusual for this time of the year. Usually rain and snow melt creates the floods.

There is minor damage to some homes in Libby, but city and county crews are working fast to put the water back into the canals.

Wet western Montana winter may delay fire season (KBZK TV, Bozeman)

http://www.kbzk.com/story/34945262/wet-western-montana-winter-may-delay-fire-season

Posted: Mar 18, 2017 4:10 PM MDT
By MTN News

-

MISSOULA - It has been a wet year for western Montana with the National Weather Service announcing that Missoula has experienced its wettest year since 1996.

The Missoula Valley has seen 9.36" of precipitation since the beginning of the water year in October about double the 4" to 5" sees at this time of year.

"This is all very good. Even if we do have a dry early summer, the plants are going to have a lot of moisture built up so it's definitely a good start to the fire season," explained National Weather Service meteorologist Ryan Leach.

While the wet winter will help keep fires down the excess water can also pose a threat. As the snow in higher elevations melt and runs into rivers there is always the possibility of flooding.

One are the National Weather Service is closely watching for flooding is along the Montana/Idaho border. Some flooding has already been seen in the Bitterroot Valley as well as north of Missoula.

NORTH DAKOTA:

Fargo, Grand Forks officials pitch water projects to lawmakers (Bismarck Tribune)

John Hageman Forum News Service
Mar 16, 2017

Elected officials from Red River Valley cities and across North Dakota made their pitch for water project funding during a state legislative budget hearing Thursday.

Amid the waterfall of testimony was a presentation from Fargo City Commissioner Tony Grindberg, who advocated for continued state support of the massive flood diversion project in Fargo-Moorhead. The estimated $2.2 billion project is expected to receive about a fourth of its funding — $570 million — from the state of North Dakota.

Thursday's Senate Appropriations Committee hearing was on the State Water Commission budget, which includes almost $300 million for new projects in the coming two-year funding cycle. Fargo officials are seeking $66.5 million from the state in the 2017-19 biennium, and Grindberg said he was confident funding would come through.

Construction on the Fargo flood project has started, although it has attracted a lawsuit from a group representing upstream property owners. Last month, a federal judge agreed to bring the U.S. Army Corps of Engineers back into the suit.

"The Corps is committed to this project," Col. Sam Calkins of the corps told legislators Thursday. "We're confident we can continue construction and that we'll eventually or ultimately prevail in that litigation."

Like Grindberg, Grand Forks City Council member Ken Vein was optimistic Thursday that the remaining state funds for the city's new water treatment plant will be in place. That project has already started construction.

The state has provided $35 million in the last two funding cycles for the project, and last session lawmakers passed a bill stating their intent to provide the final $30 million in the 2017-19 biennium.

"I feel very confident either way we'll get it," Vein said.

Vein, who is also chairman of the Garrison Diversion Conservancy District, presented lawmakers with plans for a pipeline from the Missouri River to supplement water supplies in central and eastern North Dakota, a project known as the Red River Water Supply Project. He asked for $30 million to keep it on track.

Conceptual design was completed last year, and preliminary design is now in progress, Vein said.

"With continued growth and industrial development, the Red River Valley Water Supply Project will mitigate against drought conditions that could be devastating, foster economic development by meeting municipal, rural and industrial water demands and promote environmental sustainability," Vein said in prepared remarks.

The Senate Appropriations Committee didn't take any immediate action on the budget bill Thursday.

Judge combines 4 tribal suits over Dakota Access pipeline (Bismarck Tribune)

By BLAKE NICHOLSON Associated Press (Bismarck Tribune)
March 17, 2017

BISMARCK, N.D. (AP) — A judge has combined lawsuits filed by four Sioux tribes over the Dakota Access pipeline, streamlining the drawn-out legal battle over the $3.8 billion project to move North Dakota oil to a distribution point in Illinois.

Meanwhile, a federal appeals court could decide this weekend on a tribal request to stop oil from flowing through the pipeline next week.

The neighboring Standing Rock and Cheyenne River tribes teamed up last summer in the main lawsuit against Texas-based pipeline developer Energy Transfer Partners and the U.S. Army Corps of Engineers, the federal agency that granted pipeline permits at more than 200 water crossings, including the Missouri River. The Yankton Sioux also sued last summer, and the Oglala Sioux filed its own lawsuit last month.

The four Dakotas tribes make essentially the same claims: The pipeline threatens cultural sites and the Missouri, from which they get water for drinking and religious practices.

"Consolidating the cases would conserve judicial resources, allow the parties to save time and expense, and enable the court and parties to schedule matters more efficiently," Corps attorneys said in asking U.S. District Judge James Boasberg in Washington, D.C., to lump the cases together.

None of the tribes or ETP objected to the move, and Boasberg granted the request Thursday.

The legal battle lingers even as ETP prepares to launch pipeline operations. Crews are wrapping up final pipe work under Lake Oahe, a Missouri River reservoir in North Dakota, and the company has said oil could flow as early as Monday.

Cheyenne River attorney Nicole Ducheneaux asked the U.S. Court of Appeals for the District of Columbia Circuit to issue by Monday an "emergency" prohibition of any oil flow, until it resolves an appeal of Boasberg's recent decision to not stop final construction. Boasberg also rejected a separate tribal request to stop oil from flowing.

The tribes' appeal rests on the religion argument. Boasberg has said he doesn't think the tribes have a strong case on appeal. He also said ETP would be "substantially harmed" by a delay in pipeline operations.

Both the company and Corps filed court documents Friday opposing the tribal request. The appeals court will make a decision sometime after Friday evening, the deadline it set for attorneys to submit written arguments.

Residents along Mouse River could see flood insurance spike

(MyNDNow.com)
By: Cynthia Hill MyNDNow.com
Posted: Mar 18, 2017 01:20 AM CDT

A re-working of FEMA's flood risk maps could take effect in about two years. FEMA is re-working its maps that determine what properties are within the 100-year flood plane.

Using Minot as an example, the dike system provides protection to about 5-thousand CFS of river flow, but FEMA is likely to say the new 100-year flood level is closer to 10-thousand CFS.

That will move thousands of homes that qualified for the lowest flood insurance rates into a much higher rate class. City Engineer Lance Meyer says the city has been working with FEMA to reduce the impact of the changes as little as possible.

"We've been doing everything we can to help push the process out a little bit to give us more time to construct flood control but also to make sure whatever maps do get developed have the best data available," says Lance Meyer, Minot City Engineer.

The new flood maps are not expected to be in effect for about two years. Meyer says after they take effect, properties protected as the city improves its levee and flood-wall system will again qualify for the lower insurance rates.

SOUTH DAKOTA:

A look at a trial over Missouri River flooding (AP)

Mar 15, 2017 4:13 PM MDT
By The Associated Press (Posted by NEWSCENTER1)

KANSAS CITY, Mo. (AP) - A look at the civil trial over the U.S. Army Corps' stewardship of the Missouri River and landowner claims that the agency's decisions have contributed to devastating floods.

WHAT'S ALLEGED: Several hundred landowners named in the class-action lawsuit filed in 2014 allege in the U.S. Court of Federal Claims that the Army Corps has deemphasized flood control along the Missouri and put more emphasis on habitat restoration, leading to more flooding. The plaintiffs also insist the Corps unconstitutionally deprived them of their land, essentially taking it without compensation.

THE CORPS' STANCE: The federal government argues in court filings that authorities never promised to stop all flooding along the 2,341-mile-long Missouri, and that the Corps' providing habitat for endangered species didn't exacerbate the inundation six years ago. Officials have said the Corps balances flood control and an array of other potential uses of the river, including shipping, recreation and hydropower.

THE TRIAL: The trial began March 6 in Kansas City, Missouri, and will shift in late April to Washington, D.C., with no decision expected at least until summer, at the earliest.

THE JUDGE: The presiding judge - Nancy Firestone, a former federal prosecutor appointed to the claims court in 1998 - served in the late 1990s as a deputy assistant attorney general in the U.S. Department of Justice's environment and natural resources division after holding top positions in the Environmental Protection Agency, including as a judge of its environmental appeals board. She has Missouri connections, having gotten a bachelor's degree from St. Louis' Washington University and a law degree from the University of Missouri at Kansas City.

UTAH:

No FEMA-related stories

WYOMING:

Mayor Orr unhappy with Civic Center Commons oversight idea (Wyoming Tribune Eagle)

- By James Chilton, Wyoming Tribune Eagle

Mar 19, 2017



Cheyenne's Mayor Marian Orr speaks during a press conference Nov. 29, 2016, at the Cheyenne Public Safety Center. Blaine McCartney/Wyoming Tribune Eagle

CHEYENNE – Mayor Marian Orr has registered her displeasure about the City Council's introduction last week of an ordinance to create a management team to oversee construction of the city's Civic Center Commons project.

Civic Center Commons, which is set to replace a parking lot just west of the Cheyenne Municipal Building at 2101 O'Neil Ave., has long been lauded as a "crown jewel" of the ongoing West Edge initiative, which seeks to provide infrastructure improvements and quality-of-life amenities to the western portion of downtown Cheyenne.

Of the three West Edge projects designed to date – including Pumphouse Park and the 26th Street stormwater interceptor – Civic Center Commons is the most ambitious. In addition to providing a large space to contain stormwater during a major rain event, the commons also includes many park features conducive to live music events, food truck rallies and other such events.

Design for the project is underway, and funding has been secured through a 2012 sixth-penny sales tax initiative, and grants from the Federal Emergency Management Agency and the State Loan and Investment Board, as well as support from the Wyoming Business Council.

But several council members have been dissatisfied with the pace of work on the project, particularly since December, when the council passed a resolution seeking its "expedient completion." Thus, on March 13, council vice president Mark Rinne introduced an ordinance to create a management team

to oversee the project and provide regular reports to the council about how things are proceeding – or why they aren't.

But Mayor Orr has taken umbrage at the ordinance, and made as much clear March 15 when she sent an email to the rest of the City Council. In it, Orr says the city has already made substantial progress on West Edge projects in the weeks since she took office, and she questioned Rinne's decision to craft his ordinance without first expressing his concerns to her.

"Had Dr. Rinne come to me with his concerns and asked for such a team and communication, I certainly would have listened and worked with him, as I have with all of you, so far to date," Orr wrote. "To communicate to me through ordinance is not only inappropriate, it only serves to appear as political grandstanding, and does nothing to foster a working relationship between the mayor and council, but rather the adverse."

Attempts to reach Rinne for a response Friday and Saturday were unsuccessful. But in an interview Friday, Orr sought to elaborate her problems with the ordinance, as well as her concerns with Civic Center Commons.

"I've had several discussions with most of the council members regarding Civic Center Commons, keeping them aware of the timeline we're working with," Orr said. "I've also let them know there was a delay in getting an independent engineering review; it turned out to be more difficult to find an entity that didn't have a previous relationship with the engineering firms in the community."

Orr said her biggest concern with the project is that its most talked-up features – an amphitheater, park space and public open space – appear to have taken precedence over its stormwater drainage aspects, which are actually what has driven much of the grant funding secured to date.

"It's not that Engineering or my office are opposed to a park, but when you have discussions about it, very seldom does anybody talk about drainage," Orr said. "And when it comes to using FEMA funds, we need to be good stewards; we need to make sure that we do right by FEMA. One of the concerns that I raised in a meeting in looking at our grant application, we were specifically asked if there were any known contaminants in the area, and we replied 'no.' But anyone that knows this area knows full well there are contaminants, so at the very least we should have answered 'unknown.'"

Orr acknowledged FEMA has already reviewed the project twice and approved it both times based on its proposed stormwater flood controls. But she wonders whether that opinion may change now that a new administration is overseeing FEMA in Washington, D.C.

Orr noted the $3 million grant approved by FEMA for the project will expire Sept. 30, and she has doubts as to whether the city could realistically have construction done by then. More likely, she believes the city will have to request a one-year extension of the grant – its second so far – by July 1.

"I am concerned with a very big unknown within the FEMA administration, with it being a new administration, what the likelihood of (approving) that request for an extension would be," Orr said. "There's no guarantee they will grant the extension this time, and should we proceed with the project without knowing full well we do, indeed, have that extension? Where does that leave us with funding the project without FEMA funds?"

All that said, Orr is still only one voice when it comes to City Council ordinances, and with six co-sponsors out of nine council members, she may be outnumbered when it comes to whether the oversight group happens.

FEMA-RELATED STORIES:

40 Years Of Budgets Show Shifting National Priorities (Washington Post)

By Gabriel Florit, Kim Soffen, Aaron Steckelberg And Tim Meko

March 17, 2017

In his first budget proposal, released Thursday, President Trump proposed drastic cuts to many of the nation's agencies and programs to offset nearly $60 billion in additional spending on defense, a down payment on the border wall and funding for school choice programs, among other things. If enacted, the proposal would be one of the most dramatic redistributions of funds since Reagan's military build-up during the Cold War in the early 1980s.

Discretionary spending limits, the only portion of the budget addressed by this proposal, are set by congressional budget resolutions. Mandatory spending, by contrast, is set by other laws and primarily includes interest on the debt and entitlement programs such as Social Security and Medicare. Here, the funding level is often determined by the size of the benefit and the eligible population.

Infrastructure

Proposed 2018 budget: $114.4B

The Agriculture Department, Interior Department, Energy Department, Transportation Department and the Department of Housing and Urban Development control much of the nation's vast infrastructure.

These departments, especially HUD, lost significant funding as Reagan took office. His promise to shrink the size of the government included significant reductions in federal housing funds.

Much of the other fluctuation in these budgets has been driven by political and financial turmoil. In the late 1970s, increased oil production in response to the energy crisis caused a spike in the Energy Department's budget. A few years later, in the early 1980s, the "farm crisis" — a period of falling crop prices and lower incomes for farmers — led to large payouts from the Agriculture Department.

More recently, as part of the stimulus following the 2008 financial crisis, many of these departments, most notably Transportation, received large budget increases. Note that though the 2009 budget was set during the Bush administration, the stimulus itself was negotiated and passed by President Obama.

With Trump's 2018 proposal, all of these departments are looking at cuts of between 12 and 21 percent. Much of this money would be taken out of research and climate-change-related programs.

The economy

Proposed 2018 budget: $19B

The Treasury Department and Commerce Department are concerned with the government's finances and the country's economic growth, respectively. Their funding levels are largely driven by the state of the economy and government budgets.

Treasury saw a large bump in spending in the mid 1970s because the department loaned more than $1.3 billion (nearly $6 billion in today's dollars) to New York City. The city government at the time was facing bankruptcy.

The departments' funding similarly responds to nationwide financial crises; after the 2008 housing bubble burst, the Commerce Department got increased funding to respond. Financial agencies outside these departments, such as the FDIC, which insures Americans' bank deposits, also saw spending spikes during that period (though that money is funded by insurance premiums, not Congress).

With Trump's 2018 proposal, Treasury would see a modest 4 percent cut, largely aimed at the IRS's funding. Commerce would see a steeper 16 percent decrease, cutting from many programs that aim to help communities struggling with the effects of climate change or manufacturing automation.

Foreign relations and law enforcement

Proposed 2018 budget: $98.9B

The State Department, the Department of Homeland Security and the Department of Justice, which focus on diplomacy and law enforcement, have grown almost continuously for the past 40 years.

A major disruption came after the 2001 terrorist attacks, after which the Department of Homeland Security was founded. (The number you're seeing before that date is the funding allocated to all the then-independent agencies that are now part of DHS, like Immigration and Customs Enforcement.) From 2001 to 2002, the funding for these programs — which primarily focus on counterterrorism and immigration — nearly doubled. A smaller bump occurred in 2006 as part of FEMA's response to Hurricane Katrina.

Trump's budget proposal would make substantial changes to some of these departments. DHS is one of three departments that would see an increase in funding, which would be put toward building a wall along the southern border and increasing the number of agents throughout the immigration enforcement system, among other things. In total, the department's funding would increase by 7 percent.

The State Department, on the other hand, would face deeper cuts than any other department, losing 29 percent of its budget. In line with Trump's "America first" agenda, the budget proposal slashed foreign military and humanitarian aid, as well as funding to the United Nations and other international organizations. The proposal would inflict milder cuts on the Justice Department — 4 percent — and shifts money away from prison construction toward counterterrorism and the system for removing undocumented immigrants from the country.

Health, education and labor

Proposed 2018 budget: $216.5B

The Department of Veterans Affairs, the Education Department, the Department of Health and Human Services and the Labor Department have among the largest discretionary budgets in the government.

Like many other portions of the budget, they often fluctuate with the state of the economy. The biggest spikes came after the 2008 financial crisis. Between 2008 and 2009, the Labor Department's budget went up by about 50 percent to fund more job training programs as part of the stimulus. The stimulus also increased HHS's budget by half, funding everything from the promotion of medical technology to Head Start.

In Trump's proposal, these departments fared quite differently. VA would see a 6 percent increase in funding to ease the backlog in the veterans' health-care system. The Education Department is slated for a 14 percent decrease overall but an increase in funding for programs related to school choice. The Labor Department and HHS budgets would decrease by 21 and 18 percent, respectively.

Independent agencies

Proposed 2018 budget: $66.9B

The agencies' functions vary as widely as their budgets, and they have faced many different peaks and troughs over the past 40 years.

The 2009 stimulus had one of the biggest impacts. The budget for the General Services Administration, which helps the other agencies function, went up nearly twentyfold between 2008 and 2009, in part funding the construction and repair of government buildings around the country. The Environmental Protection Agency's budget nearly doubled, and in the aggregate, agency budgets went up by about a third.

But many of those increases have since been reversed, and a number of these agencies face cuts in Trump's budget. The EPA would take one of the hardest hits, losing 31 percent of its 2017 budget and a fifth of its workforce. These cuts are aimed at the agency's research programs, particularly with regard to climate change and environmental cleanup programs. The proposal dictates smaller decreases for other agencies, like the Small Business Administration and NASA, which would receive 5 and 1 percent budget cuts, respectively.

Defense

Proposed 2018 budget: $639B

Defense has long been one of the largest items in the budget, this year comprising nearly 50 percent of discretionary spending. The largest driver of defense spending over the past 40 years has been war.

Spending increased by nearly two-thirds during the Reagan administration as he built up the military during the Cold War. It increased drastically again during the Bush administration, largely to fund the military operations in Afghanistan and Iraq.

Trump's proposal would increase defense spending by 9 percent, about $52 billion. That's a bit larger than what Obama was projecting for 2018, and smaller than what congressional defense hawks wanted, according to Todd Harrison, the director of Defense Budget Analysis at the Center for Strategic and International Studies. "It's in line with what you're expecting to see," he said.

Whether the changes in Trump's proposal actually get enacted is an open question. Congress writes the budget and typically makes changes to the president's proposal. Last year, lawmakers disregarded Obama's budget altogether.

Despite a Republican-controlled Congress, Trump's cuts may not pass so easily. Republican lawmakers, including Sen. Rob Portman (Ohio), Sen. Dean Heller (Nev.) and Rep. Leonard Lance (N.J.), have criticized portions of the budget. And Sen. Lindsey O. Graham (R-S.C.) did not mince words after seeing a blueprint: "It's dead on arrival."

Sources: Center for a Responsible Federal Budget, The Office of Management and Budget

Note: Figures have been adjusted for inflation.

From: Welch, Randy
Sent: 16 Mar 2017 12:48:56 -0400
To: R8 All Hands
Cc: (b)(6) (b)(6)@state.co.us;(b)(6)@mail.mil(b)(6)@mail.mil;(b)(6)@nd.gov;(b)(6)@state.sd.us;(b)(6)@state.sd.us(b)(6)@utah.gov(b)(6)@wyo.gov;(b)(6)@acf.hhs.gov(b)(6)@usace.army.mil;(b)(6)@usace.army.mil;(b)(6)@state.mn.us;Peterson, Mark J;(b)(6)@hhs.gov;(b)(6)@hhs.gov;(b)(6)@hhs.gov;(b)(6)@sba.gov;(b)(6)@sba.gov;Nelson, Jason(b)(6)@fs.fed.us;Alexander, Daniel;(b)(6)@atf.gov;(b)(6)@aveshka.com;Carlson-Sherbo, Diana
Subject: FEMA Region 8 clips for Thursday 3-16
Attachments: R8 Clips 03-16-17.docx

Region VIII Clips
Thursday, March 16, 2017

ANALYSIS

A number of stories today about flood concerns, flood preparedness and flood insurance.

- *Colorado:* The Colorado Springs City Council unanimously passed a measure that will require reviews and approvals by geohazard and other technical specialists for any building in areas that might be affected by landslides… A TV station and the Red Cross will give a "hometown hero" award to former Colorado Springs storm water manager Tim Mitros. The story and a comment by Mitros refer to his work after disasters, including possible aid from FEMA for those affected by landslides. … A red flag warning has been issued for the northeastern plains… A Denver TV station reported on a $1.1 million PA grant to Larimer County for the 2013 floods. The story also mentions FEMA's housing aid after the floods…. A story on fish hatcheries in northern Colorado notes that, for one in particular, this is the first year back in full operation after damage from the 2013 floods.
- *Montana:* The Bozeman *Daily Chronicle* had one of several stories across the state about flood concerns. … A Missoula radio station carried a story on flood preparedness and flood insurance.
- *North Dakota:* A trial has begun in Kansas City over whether the Corps of Engineers mismanaged outflows along the Missouri River in 2011, thus causing damage to landowners in five states… Two-way traffic, aided by pilot cars, will begin Friday along the highway that was closed during the pipeline protests. A bridge on the road was damaged by fire during the protests…. A federal judge refused to issue an injunction to stop the flow of oil beginning next week. Court battles continue over use of the pipeline and allegations of police misconduct… Cleanup at the protest camps has finished… A public meeting about flood risk was held at Valley City last night. Officials from NWS, North Dakota DES and FEMA took part. A video link to the one-hour meeting is included below…. The Minot *Daily News* ran a story about a public meeting Tuesday on flood preparedness and flood insurance. The meeting was hosted by the City of Minot and included the North Dakota Water Conservation Board and FEMA representatives.

- *South Dakota:* A story on flood preparedness and flood insurance in the Aberdeen *American News* includes comments from three FEMA sources.
- *Utah:* Sanpete Valley Hospital will hold a mass casualty drill next Tuesday that includes the Utah DES and eight other agencies… The current rebuilding and expansion project at the Salt Lake City airport should be complete in 2020. However, at projected growth rates, another new expansion may need to start in 2025.
- *Wyoming:* The BLM announced plans for three prescribed burns this spring.
- *Other FEMA-related stories:* Proposed budget cuts to HUD would eliminate the Community Development Block grants, which have played a role in disaster recovery.

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Rebuilt SLC International Airport may be too small just 5 years after it opens (Salt Lake Tribune)

WYOMING:
BLM to conduct prescribed fire projects this spring (Northern Wyoming Daily News)

FEMA-RELATED STORIES
You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

Trump Budget Asks For $6 Billion In HUD Cuts, Drops Development Grants (Washington Post)

STORIES

COLORADO:

ON UNSOLID GROUND: City Council unanimously passes new landslide law for Colorado Springs (Colorado Springs Gazette)

By: Billie Stanton Anleu

March 14, 2017 Updated: Today at 6:12 am

0 0 0



Rick Sisco stands at the now edge of his property and describes what his yard looked like prior to the landslide. His home is pictured in the Skyway neighborhood on Friday, April 8, 2016. Photo by Stacie Scott, The Gazette.

The Colorado Springs City Council passed a new landslides ordinance Tuesday in a 9-0 vote - the exact opposite of the Planning Commission's unanimous vote rejecting the proposed law.

The stunning victory came as sweet relief for Councilmen Don Knight and Tom Strand, who worked on the ordinance since May, meeting eight times with stakeholders ranging from the Colorado Geological Survey to the local Housing & Building Association, and from geotechnical engineers to developers and people living in landslide zones.

Knight and Strand had proposed improving the law after landslides pulverized at least 28 homes since July 2015.

Planning commissioners had called it "a solution in search of a problem" and a measure that would stigmatize the half of the city west of Interstate 25.

"Our beloved Planning Commission thinks this only deals with folks on the west side of I-25. It affects both sides," Strand told his council colleagues. "This law answers issues, problems we've

had and makes it stronger and better. We wanted to ensure that property owners knew they were going to be secure in how their foundations were set up. This is something the time has now come for us to deal with."

The new law ensures that the Colorado Geological Survey (CGS) will not only review site plans and make recommendations in advance, but also will get to see whether the builder implemented such safeguards when revising the plans.

"Initially, CGS professionals were involved at the beginning, would make recommendations and were left out at the end of the process," Strand said.

Dave Munger, executive director of the Council of Neighbors and Organizations, urged the council to enact the measure.

"We particularly thank Don Knight and Tom Strand for their leadership on this," Munger said, "closing the circle, if you will, and reminding us all that good practice should be safe practice. There are some pretty dramatic examples of how the past didn't work so well."

The new law also will:

- Require builders to get geological hazard reports on land within the hillside or streamside overlay zones, within a 100-year floodplain or within any landslide susceptibility or mine subsidence map published by the CGS. Also subject to that requirement are lands with unstable or potentially unstable slopes or slopes exceeding 33 percent; a history of a landfill or uncontrolled or undocumented fill activity, and other geologic hazards that cannot be mitigated through standard foundation and construction practices.

The existing law didn't require geohazard reports on individual lots, but the new law will, Planning Director Peter Wysocki said.

- The final geohazard study and the site's related plans - master, concept, development, preliminary plat, final plat or residential site plan - will be reviewed again by the CGS or an independent professional. If an applicant disagrees with recommendations by the city staff and CGS, then a panel of three geologists, geotechnical engineers or professional engineers could evaluate the geohazard study, too, and those findings will be added to staff recommendations. The applicant will pay for that panel.

- An improvement location certificate, showing that the construction matches the plans, must be submitted before the city will issue a certificate of occupancy.

"For everybody in the community involved ... we thought we were going to get it done in one month," Knight said. "It took a little longer, but it was worth the education."

Hometown Hero: Community Service Award winner Tim Mitros (Fox 21 News)

http://fox21news.com/2017/03/15/hometown-hero-community-service-award-winner-tim-mitros/

By Taylor Bishop Published: March 15, 2017, 10:09 pm

COLORADO SPRINGS, Colo. — FOX21 and the American Red Cross are partnering once again to honor some "Hometown Heroes," ordinary people who have done something extraordinary for their community or the lives of others.

We're highlighting this year's Community Service Award winner – a former city storm water manager who has continued to go above and beyond for the citizens of Colorado Springs.

When natural disasters occur, Tim Mitros comes running.

"This is a bad thing that's happened to people and they don't expect it to happen to them so they need somebody out there who can provide a positive aspect to what is happening and give them some, hope," said Mitros.

From post-Waldo Canyon Fire flooding to landslide victims, because of Mitros' relentless work, many minds have been put at ease.

Mitros said, "For the landslide victims, it's working with FEMA trying to find funding to try to make their lives whole again or at least as close to whole as I can make it."

When most jobs end at 5 p.m., Mitros is still on the clock-giving guidance and a lot of times just listening to people.

"He has that personal touch," said Pat Chappell. "The extra touch, the caring touch, you know those soft skills and the reassurance."

Chappell is the one who nominated him for the award.

"What's really neat about him, he's very shy and a humble type of a gentleman and he does so much and really doesn't want any credit for anything you know because that's just him," said Chappell.

But it's something in Mitros that makes his dedication to the community more than a job. It's having been through tragedy himself that allows him to really see and feel what others might be dealing with.

"My mom committed suicide, my sister also committed suicide, my dad and my mom had a very nasty divorce and you know I tried to learn from that." Mitros said, "When it happened it's like, 'what's wrong, what's going on?' and so I've tried to learn what kind of emotions people have and try to be positive from it instead of taking it as a bad thing is learning from it."

Hometown Heroes will get their awards March 16 during a dinner at The Broadmoor.

Sunny, breezy and dry weather prompts red flag warning on northeastern plains (Denver Post)

http://www.denverpost.com/2017/03/16/northeastern-plains-red-flag-warning/

Thursday's weather forecast for northeast Colorado calling for temperatures 20 degrees above normal, wind gusts up to 30 mph and low humidity trigger another late winter red flag warning.

Westerly winds could gust up to 33 mph on the northeastern plains, according to the forecast by the National Weather Service in Boulder. Relative humidity is expected to be 15 percent or lower.

The high temperature in Denver will be around 76 degrees, according to the NWS.

The Front Range is under a fire weather watch and the northeastern plains are under a red flag warning.

"Critical fire weather conditions will develop once again across the eastern plains by late Thursday morning," according to the NWS red flag warning for northeast Colorado.

Although temperatures on Friday will be a bit cooler than the past several days in Denver, the expected high of near 66 degrees is still above normal temperatures in the mid 50s for this time of the year.

The weekend will be balmy with high temperatures about 80 on Saturday and Sunday.

The first part of next week will be in the upper 60s, according to the NWS.

Larimer County receives FEMA grant for historic 2013 flooding (9 News)

http://www.9news.com/weather/larimer-county-receives-fema-grant-for-historic-2013-flooding/422915441 - video link

KUSA - It's been nearly four years since historic flooding devastated parts of Colorado, and repairs are still going on.

Now, some of those impacted will get a little help from FEMA.

The agency is giving Larimer County a grant worth $1.1 million.

The money will go toward repairing roads and bridges damaged during the September 2013 floods. Experts called the devastation a 1,000-year rain and 100-year flood.

In all, the waters caused about $4 billion worth of damage across 24 counties.

Nearly 2,000 people were rescued during that week, and nearly 19,000 homes were damaged. Ten people were killed.

FEMA provided temporary housing for displaced families.

It has also funded housing in areas where mobile homes were hit by the flood waters.

Hatcheries help spawn interest in fishing (Loveland Reporter Herald)
http://www.reporterherald.com/lifestyles/recreation/ci_30857627/hatcheries-help-spawn-interest-fishing

Bellvue-Watson hatchery back in operation after 2013 flood

By Michelle Vendegna
Reporter-Herald Staff Writer

POSTED: 03/15/2017 03:37:29 PM MDT

Northern Colorado Fish Hatcheries

•**Bellvue-Watson Fish Hatchery**, 4936 W. County Road 52E, Bellvue.

Site offers informational and educational material, self-guided tour, and food dispensers to feed the fish.

•**Poudre Rearing Unit,** 38195 Poudre Canyon, Bellvue.

Site offers educational material, self-guided tours with guided tours by appointment, food dispensers to feed the fish, nearby wildlife such as Bighorn sheep, deer, and elk.

Call ahead to any hatchery you plan to visit for hours and additional information. Visit the Colorado Parks and Wildlife website for a map and more information, cpw.state.co.us

It seems almost by magic that fish appear in lakes throughout Colorado, almost. But 16 fish hatcheries around the state of Colorado work year-round to ensure you can get that perfect catch and you can see how at no cost.

"Most of our hatcheries are self-guided tours. Here we are open daily from 8 a.m. to 3 p.m.," said Jesse Faue, hatchery supervisor for Bellvue-Watson Fish Hatchery, 4936 W. County Road 52E, Bellvue.

There are 18 hatcheries on Colorado Parks and Wildlife map, (cpw.state.co.us/learn/Pages/Hatcheries.aspx). The experiences vary with some having guided tours or visitors centers while other may have just signs.

"This year is going to be our first year fully back up and running," Faue said of Bellvue-Watson. The hatchery was heavily damaged in the September 2013 flood. The crew has been repairing pipelines in addition to needed infrastructure upgrades for normal wear and tear.

"Currently, the big thing to do is to come out, get some feed, walk around, feed the fish, see the fish and see one of their state fish hatcheries," he said of what visitors can expect. Fish food is 25

cents for a hand full from the gumball machines around the raceway area. The funds go to purchasing the food.

"There is always somebody around somewhere. (Visitors) are welcome to find someone on the crew here or stop by the office with questions," he said.

Faue is anticipating getting new signs and adding a small visitors center this summer.

"Really, we are kind of hoping to have a big reopening in June in the sense of new signs and a visitors center, something more for people to see, learn and do," he said.

The visitors center will be a small building with displays created by the crew at the hatchery, focused on fishing.

"One of the staff members is building a mock rivers kind of demo so they can see what the ecosystem of the river looks like. We have a whole bunch of flies in it so we can show people different types of flies to use in different seasons in the Poudre River and in this area. A lot of neat things coming with the visitors center," he said.

The Bellvue-Watson Fish Hatchery raises about 300,000 rainbow trout a year. It takes about 14 to 16 months to get the fish up to catchable size, 10 inches. The hatchery stocks fishing spots in Wellington, Fort Collins, Loveland, Longmont and as far east as Jumbo Reservoir in Julesberg and Hale Ponds in South Republican State Wildlife Area, formerly known as Bonny Lake State Park, near the Colorado/Kansas border.

"We cover a lot of country up in this area," Faue said.

Large groups, such as students from the local schools, can call ahead to arrange a guided tour of the hatchery.

"We give them a short presentation on what we do at the fish hatchery. We walk them through our job of getting fish eggs all the way to what we consider a catchable trout, a 10-inch trout, and that process we go through to get them that size," Faue said.

The hatcheries are not funded by general tax sales but by the sale of hunting and fishing licenses. Faue said if the public likes the mission, they can support the hatcheries by getting outdoors.

"The best way people can help is buy a fishing license and take a kid fishing," he said.

Faue said the hatchery offers kids a chance to see what the outdoors has to offer.

"I grew up hunting and fishing and it's something we're not seeing as much anymore. When people come out here, kids always leave excited about having fed the fish, seeing the fish and

then wanting to go fishing," he said. Visitors can take a right as they leave the facility and head straight into Watson Lake State Wildlife Area to continue the experience.

"It's a great way for the entire family to come out, spend some time outdoors," he said. Faue said there is no age limit for the fun of feeding fish. He's been a supervisor for seven years at the facility and has never gotten bored of it.

"It's the one thing," he said, "no matter how your day is going, you can go out and feed fish and it's always exciting."

Michelle Vendegna: 970-699-5407, vendegnam@reporterherald.com

MONTANA:

Flood advisory issued for southwestern Montana (Bozeman Daily Chronicle; one of several stories across MT about flood concerns)

http://www.bozemandailychronicle.com/news/flood-advisory-issued-for-southwestern-montana/article_feafc47d-8ac0-544e-aaeb-d0d38f6d0850.html

- By Chronicle Staff

The National Weather Service has issued a flood advisory for melting snow across southwestern Montana until 10:15 Friday morning.

The advisory covers Broadwater, Beaverhead, Madison, Jefferson and northern Gallatin counties.

As of Wednesday afternoon, no flooding had been reported in Gallatin County, according to the county road department.

With daytime temperatures in the 50s and 60s and nighttime, snow is melting quickly at elevations below 8,000 feet, which may lead to localized flooding around small streams and creeks, the weather service said.

Need For Missoula County Flood Insurance Could Be Soon, Peak Runoff Expected In April Or May (KVGO-FM, Missoula)

March 15, 2017

Missoula usually sees peak runoff from snowmelt around May, but Missoula County's Floodplain Administrator, Todd Klietz warns that it can come much sooner, and that folks should be ready.

"The very earliest in the year that we've had peak runoff, that's been recorded anyway, has been April 13th, and why that's important to get the word out to people now is that if they wish to have FEMA flood insurance… and basically anyone in Missoula County can get FEMA flood

insurance… they need to know that there is a 30 day wait limit once they get their policy," Kleitz said.

Kleitz said flooding can be a big issue along the Bitterroot, but there are even places in the city of Missoula get hit hard.

"The first place that we see it is in the Tower Street area, just west of Reserve Street," Kleitz said. "The reason we see it there is that prior to 1949, there wasn't a levy that was along that area. We had floods in 1948 that flooded the Orchard Homes area and after those floods, the Corps of Engineers built a levy, but the levy stops just east of Tower Street."

According to Kleitz, Montanans have a rather low rate of flood insurance, compared to those in other states. He says that FEMA flood insurance doesn't just come from issues in the flood plain and that things like street melt can also be covered.

NORTH DAKOTA:

Army Corps on trial over Missouri River flooding complaint (Associated Press/Bismarck Tribune)

Mar 16, 2017

KANSAS CITY, Mo. (AP) — The U.S. Army Corps of Engineers is defending itself at trial against more than 300 farmers and other landowners who say the agency's management of the Missouri River has contributed to major flooding in five states, most notably 2011 flooding that caused billions of dollars in damage.

The lawsuit, filed in 2014 in the U.S. Court of Federal Claims, argues that the Corps has altered its practices regarding the river's water storage, release and flow management since the mid-2000s, de-emphasizing flood control while pushing to restore habitat for endangered species. It contends that the Corps unconstitutionally deprived plaintiffs of their land, essentially taking it without compensation.

Although the lawsuit doesn't specify the amount of damages being sought, the landowners' attorney has said it could exceed $250 million. The plaintiffs believe case law is on their side, given a U.S. Supreme Court ruling in December 2012 that the federal government is not automatically exempt from paying for damage caused by temporary flooding from its dams. The case, which isn't expected to be decided until this summer at the earliest, reflects longstanding debate about the Corps' management of the river as the agency tries to strike a balance among competing interests — landowners, the barge industry, water suppliers, hydropower utilities, environmentalists and recreational users of the waterway, notably on upriver reservoirs. Regulating the river's levels comes through the Corps' management of discharges from a half-dozen large upstream reservoirs, each meant to hold snowmelt and other excess water during the spring before the Corps gradually releases it the rest of the year.

In court filings, the federal government argues that authorities never promised to stop all flooding along the 2,341-mile-long Missouri River, which flows into the Mississippi River north of St. Louis. The Corps, which has said it is required by Congress and the courts to act in the

river's best interest, maintains that providing habitat for endangered species didn't exacerbate the inundation six years ago — a claim echoed by a top Midwest volunteer for the Sierra Club.

The trial started last week. The Corps typically does not comment publicly about litigation, and it didn't reply to recent messages by The Associated Press.

Outside experts who reviewed the 2011 flooding said the Corps did the best it could in dealing with record amounts of water that flowed into the river after unusually heavy spring rain in Montana and North Dakota.

That flooding lasted more than three months after the Corps began releasing massive amounts of water from swollen upstream reservoirs. It overwhelmed levees, carved gouges up to 50 feet deep, created sand dunes 15-feet-high, deposited debris in farmers' fields and devastated hundreds of thousands of acres of mostly farmland in South Dakota, Nebraska, Iowa, Kansas and Missouri.

Caroline Pufalt, the St. Louis-based chairwoman of the Sierra Club's Missouri River Network, said blaming the Corps on environmental grounds is "a red herring," and that while the Corps may make decisions in the interest of habitat, such actions are rare.

Pufalt said the Corps did the best it could six years ago, given "unusual circumstances" involving so much water in the Missouri River system.

"These floods were kind of unavoidable," Pufalt said. "The folks who have filed this lawsuit mistakenly think there's some magic thing the Corps can do, given the current river, that will take away their flood risk, and that's not going to happen."
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The Latest: Highway shut down by protests to see traffic (NewsCenter 1 TV)

Posted March 15, 2017
BISMARCK, N.D. (AP) (NewsCenter1TV)

Officials are re-establishing traffic on a stretch of highway in North Dakota that has been closed for months due to protests against the Dakota Access oil pipeline.

The stretch of state Highway 1806 was shut down in late October after a bridge was damaged by fires during protests.

Authorities say that beginning at noon Friday, two-way traffic will be allowed with the assistance of pilot cars that will escort vehicles over a 9-mile stretch. That system will continue until authorities deem it safe to resume normal traffic without pilot cars.

The stretch of highway is near the area where pipeline opponents camped for months. The camps were cleared out and shut down late last month in advance of spring flooding season.

Judge won't stop oil from flowing through disputed pipeline (AP)

Wednesday, 15 Mar 2017 | 10:49 AM ET The Associated Press (CNBC)

BISMARCK, N.D. (AP) — A judge refused to head off the imminent flow of oil in the disputed Dakota Access pipeline, likely clearing the way for operations to begin next week.

U.S. District Judge James Boasberg in Washington, D.C., denied a request by the Standing Rock and Cheyenne River Sioux tribes to stop oil from flowing while the tribes appeal his decision last week allowing pipeline construction to finish.

"The critical factor here is Cheyenne River's lack of likelihood of success on the merits ... plaintiff does not have a strong case on appeal," Boasberg said in his ruling Tuesday.

Cheyenne River attorney Nicole Ducheneaux did not immediately respond to a request for comment Wednesday.

Texas-based pipeline developer Energy Transfer Partners is finishing up pipeline work beneath Lake Oahe, a Missouri River reservoir in North Dakota and the last piece of construction on the 1,200-mile, $3.8 billion pipeline to move North Dakota oil to a distribution point in Illinois. The tribes maintain an oil pipeline under the lake they consider sacred violates their religious rights, but Boasberg says the argument was made too late and is of questionable merit.

The judge also said ETP would be "substantially harmed" by a delay, as it prepares to move oil through the pipeline as early as Monday.

Both ETP and the Army Corps of Engineers had objected to the tribes' latest attempt to halt the project, with Corps attorneys saying in court documents that President Donald Trump "has expressly determined that the pipeline is 'in the national interest.'"

The Corps last month granted ETP permission to lay pipe under the reservoir that it manages for the federal government, after Trump in January urged the project's completion after months of legal delays.

The court battle isn't over. Aside from the tribes' appeal to the U.S. Court of Appeals for the District of Columbia Circuit on the religion argument, the tribes in their lawsuit before Boasberg are arguing for more environmental study and for the government to recognize the tribes' treaty rights to clean water.

The Corps on Tuesday filed its opposition to those requests, saying the agency's permission for the Lake Oahe work "represents the culmination of over two years of detailed environmental analysis and extensive consultation with (the tribes)."

The pipeline saga also has endured for months outside of the courtroom, with about 750 arrests of protesters in southern North Dakota from August through February. Amnesty International USA on Wednesday said it has documented numerous instances of excessive force or intimidation by police and excessive criminal charges.

The organization in a letter asks Republican Gov. Doug Burgum and Attorney General Wayne Stenehjem to drop or consider dropping charges against protesters, review police practices and open independent investigations into several specific cases.

Police have defended their practices, which have included water sprays, tear gas and non-lethal ammunition such as rubber bullets. Police have said some protesters were violent and took part in riots, and that some targeted police both professionally and personally.

The Latest: Cleanup finished at pipeline protest camps (KTIV)

BISMARCK, N.D. (AP) – KTIV.com

The Army Corps of Engineers has finished cleaning up three Dakota Access pipeline protest camps that were on federal land in North Dakota.

The Corps hired a contractor after the main camp and two others were cleared out and shut down late last month in advance of the spring flooding season. They'd operated since last spring and at times held thousands of pipeline opponents.

Corps Capt. Ryan Hignight says a total of 835 industrial-size trash bins were filled and removed in the operation that wrapped up late last week. That doesn't include materials such as lumber and propane tanks that were set aside for reuse or recycling.

The total cost of the operation hasn't been tallied yet, but the Corps has estimated that it could cost taxpayers more than $1.1 million.

Flood Preparedness Meeting In Valley City (NewsDakota.com)



March 15, 2017
By: Steve Urness (NewsDakota.com)

VALLEY CITY, N.D. (NewsDakota.com) – Local, state and federal officials held a meeting in Valley City to help citizens learn more about the flood outlook and steps residents and businesses can take to reduce their flood risk this spring.

The meeting included representatives from the National Weather Service, North Dakota Emergency Services and Senior Floodplain Specialist Barbara Fitzpatrick from the Federal Emergency Management Administration in Valley City.

To learn more about your flood risk and the facts about flood insurance coverage talk to your local insurance agent or log onto www.fema.gov/r8flood

National Weather Service Forecast Greg Gust said the probability of the Sheyenne River in Valley City reaching 12 feet is at 50 percent.

Gust and other federal and state officials discussed flood risk issues and gave tips to residents during a Town Hall meeting on March 15th. To view the entire meeting click on the video available below.

Time To Buy (Minot Daily News)

March 15, 2017

Even with the current low flood risk from the Souris River, federal, state and local officials are encouraging residents to purchase flood insurance to protect themselves from any overland flooding or unforeseen events.

Representatives of the Federal Emergency Management Agency, North Dakota State Water Commission and City of Minot held an outreach meeting Tuesday to provide residents with information on flood risk and flood insurance and to answer questions.

FEMA and state statistics show the numbers of state residents who have purchased insurance is down 12 percent from a year ago. It is down an estimated 50 percent from the 2009 to 2011 period, when various areas in the state faced floods and potential floods. Nearly 20,000 North Dakotans carried flood insurance during that peak.

A 1 percent chance of a flood exists every year for residents in the 100-year flood plain. Households are at a greater risk of flood than fire, according to FEMA.

A flood event from overland water flow needs only to affect two or more property owners in the city or two acres in the rural area to be eligible for a claim. Spring snowmelt and heavy rainfall can lead to a flood event.

"A quarter of all claims are outside the 100-year flood plain," said Brian Hvinden, external affairs specialist with FEMA's Denver office.

"It really can happen in any location."

For that reason, residents across Minot and not just those in the valley or any known flood plain are urged to consider purchasing insurance. There is a 30-day wait after buying insurance before a policy becomes effective.

A preferred risk premium, which most Minot residents would qualify for, is about $475 a year for the maximum coverage of $250,000 on the structure and $100,000 on contents. People can insure for less coverage at a lower premium.

Should another large-scale flood event occur, any uninsured property that previously received FEMA assistance in 2011 would be severely limited in the amount of FEMA assistance available again.

Minot City Manager Tom Barry is urging homeowners to buy insurance and lock in the current premium. FEMA is revising Minot's flood plain, which is expected to put many homes now in a preferred risk zone into a higher risk flood zone and drastically increase premiums. Preliminary maps for Minot and Ward County should be released in June and public open houses will be held over the summer.

The city and county can appeal any objections to the map details through the fall of 2017. However, the city and county already are working with FEMA and the North Dakota State Water Commission to refine the preliminary map before it is released. Adoption of a final map is tentatively scheduled for the summer of 2018.

Flood plain maps show flood elevations, flood zones and flood plain boundaries. The current flood plain map was produced 15 years ago.

Homeowners who lock in their premiums now will be grandfathered so when premiums are adjusted, future increases will be limited to no more than 18 percent a year. Premiums then will gradually increase until reaching the new premium set for that rate class. Homeowners also will be able to transfer their grandfathering if they sell their houses.

Barry said the city is participating in the federal Community Rating System, which sets out a number of steps that local governments can take in flood plain management. Minot already has made strides that have produced a 10 percent discount for residents.

Residents who want to know more about flood insurance and how they can mitigate their flood risk can find information online at fema.gov/r8flood.

SOUTH DAKOTA:

Being Out Of Floodplain Doesn't Mean Homes Won't Flood (Aberdeen News)

By Kathy Jensen

March 15, 2017

A Federal Emergency Management Agency official has a tip for people who might be contemplating flood insurance.

"When the flood's coming in your backyard, it's too late," said Brian Hvinden, FEMA external affairs specialist.

Flood insurance doesn't go into effect until 30 days after it's been purchased, Hvinden said. In other words, now is not a bad time to consider a policy.

He traveled through the region last week, talking about the importance of flood insurance.

There was a 7 percent decrease in flood insurance policies for South Dakota and a 12 percent decrease for North Dakota between December 2015 and December 2016, Hvinden said.

"We always see spikes after a major event," Hvinden said.

But after a few years go by, people start thinking they don't need it.

Flood insurance doesn't cover only large events, said Tom Birney, National Flood Insurance Program state specialist.

Aberdeen hasn't had large-scale flooding since 2007, but there have been flooded streets and backyards since, Birney said.

To file a claim, there needs to be flooding on 2 acres or two properties, he said.

"If my property and the street or my neighbor's property floods, I can file a claim," Birney said.

A common issue is that most homeowner's insurance doesn't cover flooding, he said.

With flood insurance, the building — foundation, electrical, plumbing, structural integrity — as well as its contents are covered, Birney said.

Property owners don't have to live in a floodplain to buy flood insurance, he said. About 30 percent of claims come from outside high-risk zones.

Food maps aren't always accurate, said Jerry DeFelice, FEMA external affairs specialist for the South Dakota area.

The maps aren't updated annually because it takes quite a bit of work to make the maps, DeFelice said. So new developments, such as a parking lot or building, can increase runoff and change the flood risk, he said.

Aberdeen has a higher-than-average number of policyholders compared to the rest of the state, Birney said.

Currently, about 197 properties in Aberdeen are covered by flood insurance. Within Brown County, there are 257 policyholders.

Aberdeen residents are able to buy government-backed flood insurance because the city became a member of the National Flood Insurance Program in 1978.

When a town joins, it is offered disaster assistance by FEMA and flood insurance. In exchange, the community promises to manage its floodplain and build in areas that are reasonably safe for development.

Since becoming a member, there have been 326 claims made by flood insurance policyholders in Aberdeen.

Rates are set by the federal government based on geographic data and risks. Properties in areas of higher risk have higher premiums.

The average premium in Aberdeen is about $895 a year, Birney said.

Those in low-risk areas can get a preferred risk policy with maximum coverage for about $600 a year, he said.

Since the rates are set by the government, the cost of a policy should be equitable no matter the insurer, Birney said.

UTAH:

Sanpete Valley Hospital, local agencies to hold disaster drill (Daily Herald)

MT. PLEASANT — In an effort to evaluate local resources and knowledge relating to disaster management, Sanpete Valley Hospital's trauma services has initiated a mass casualty drill to take place Tuesday, March 21.

This drill is in partnership with local and state agencies including MT. Pleasant Police Department, Sanpete County Sherriff's Office, Snow College, Utah Department of Emergency Management, Utah Highway Patrol, North Sanpete Ambulance Association, Ephraim Ambulance, Manti Ambulance, and North Sanpete High School.

Starting at NSHS, the drill will consist of a mock shooting to incorporate an interagency response with law enforcement and emergency medical services (EMS) on the scene, and then continue to more definitive medical care as "victims" are transported to Sanpete Valley Hospital.

"This drill will serve as a vital piece in our community efforts to prepare and train – should such an event actually occur," explains Dr. Dave Krzymowski, SVH Trauma Director/Surgeon. "After

meeting with representatives from each of the participating agencies, we can see that this will be highly beneficial to each organization, as well as the community we serve."

Rebuilt SLC International Airport may be too small just 5 years after it opens (Salt Lake Tribune)

By LEE DAVIDSON | The Salt Lake Tribune

Officials say more construction could be in order not long after the projected 2020 completion.

The massive $2.9 billion project to rebuild Salt Lake City International Airport may handle projected air traffic for as little as five years after completion — until 2025.

That information emerged Wednesday in an exchange at the Airport Advisory Board.

"Will it take care of us for 25 years?" state Sen. Karen Mayne, a board member, wanted to know about the reconstruction project's ability to handle growth.

"It could be five," said Kevin Robins, the interim airport director.

That surprisingly short projected shelf life is due to growing demand for more flights. Robins said that, with the additional gates and flights airlines are now seeking, the airport may need to build all of a planned second, northern concourse.

About 15 extra gates there have been penciled in, and officials may decide in a year or two whether to add them and "keep building. Those 15 gates are sort of a relief valve," said Terminal Redevelopment Project Director Mike Williams.

Robins said, "If we build the entire north concourse, that starts putting enough pressure on the baggage-handling system that we may have to look at actually expanding the terminal to accommodate the additional gates."

With an eye to the far-distant future, Mayne asked if the airport has enough land to build even more than the two now-planned, parallel concourses.

Robins said master plans include a third concourse eventually. The airport also has enough land "that if we needed to, we could add a fourth concourse. It would require us to move a lot of the north support facilities."

Robins said master plans are "trying to address, 'What is the future if we continue the growth we are experiencing now?' "

He added that the airport at present "continues to face the good problem of growing traffic and not enough rooms at the inn to be able to accommodate" it.

Among new service that he said has been announced are Delta flights beginning in December to Maui, Hawaii, and Tampa, Fla. "We did have Maui service before, and it's coming back in December."

He also said United recently started new nonstop service to Newark, N.J. Southwest has added service to Burbank and Sacramento, Calif.

And internationally, KLM later this month will restart nonstop service to Amsterdam.

"All good problems to have," Robins said. "We continue to make contingency plans."

The current $2.9 billion project aims to build a new terminal and two new parallel concourses by 2020, replacing all current terminals and concourses.

The current airport was designed to handle about 10 million passengers a year, and is now seeing more than twice that number.

The airport's proposed 2018 budget, unveiled Wednesday, includes $744 million of planned work that year on the new terminals and concourses.

So far, most construction for the terminal redevelopment project has been underground and largely out of sight. That's about to change.

Construction of foundations and installation of miles of utilities have progressed to the point that structural steel is about to spring skyward.
"We are starting to get out of the ground," Williams reported.
He said structural steel will start to be erected next month at the new south concourse, "so you will really start to see the buildings come up out of the ground."
He added, "Work is going on everywhere on the 135-acre site right now. It's pretty amazing."
Roads around the airport continue to be rerouted as needed for construction.
Williams said construction of a new "park-and-wait" lot has been completed, and traffic will likely be shifted to it in May — when the current park-and-wait lot will be removed for redevelopment work.
The new 2018 budget for the airport, which is subject to approval by the Salt Lake City Council, also proposes to spend $103.9 million on airport operations. It includes a 3 percent increase in wages for airport employees.
About 40 percent of projected operation revenues come from "landside" concessions such as maintaining and fueling aircraft; 38 percent from airline fees; 12 percent from terminal concessions; with the rest from leases, aviation tax, general aviation fees and other sources.

WYOMING:

BLM to conduct prescribed fire projects this spring (Northern Wyoming Daily News)

March 15, 2017
WORLAND — The Bureau of Land Management Wind River/Bighorn Basin District tentatively plans to conduct three prescribed fire projects within the Cody and Worland field office areas this spring. These projects are contingent upon fuel moisture and weather meeting optimal treatment conditions.
“The prescribed fire projects are designed to enhance rangeland and woodland vegetation health, improve wildlife habitat, increase livestock and wildlife forage and improve distribution, and reduce the hazardous build-up of fuels which lessens the probability of a severe wildfire,” said BLM Fire Management Officer Rich Zimmerlee.
The projects may be conducted March through May in the following locations:
Hooligan Springs: Approximately 100 acres of juniper, timber litter and mountain shrub in ponderosa pine understory will be targeted. The project area is located in the Renner Wildlife Habitat Management Area 10 miles north of Ten Sleep.
Medicine Lodge: Mosaic sagebrush burning, encroaching conifer reduction and aspen enhancement are the goals on a little more than 200 acres of BLM and Wyoming Game and Fish Department (WGFD) lands. The 3,000-acre project area lies approximately 5 miles northeast of Hyattville in the Medicine Lodge Wildlife Habitat Management Area.
West Slope: Approximately 200 acres of juniper will be targeted to continue long-term improvements of big game habitat conditions in cooperation with WGFD. This project is 15 miles east of Lovell on the west slope of the Bighorn Mountains, northwest of Cottonwood Canyon.
Removing overstory shrubs and trees through the use of prescribed fire opens up areas for grasses and forbs and provides for new growth with more palatable and nutritious forage. Removing understory vegetation through prescribed fire reduces encroaching, competing species and clears the area of heavy fuels, which improves the overall health of the area.

For more information, contact Rance Neighbors at 307-347-5100 or Tim Haas at 307-578-5938. For more information on prescribed fire and vegetation management on public lands, visit http://www.forestsandrangelands.gov/.

FEMA-RELATED STORIES:

Trump Budget Asks For $6 Billion In HUD Cuts, Drops Development Grants (Washington Post)

By Jose A. Delreal

Washington Post, March 16, 2017

The Trump administration will slash more than $6 billion in funding for the Department of Housing and Urban Development and eliminate community development grants, according to a budget outline obtained by The Washington Post.

The Office of Management and Budget's "blueprint" for 2018 puts HUD's funding at $40.7 billion, down from $46.9 billion in 2017, representing a cut of 13.2 percent. The funding levels detailed in the OMB's blueprint closely match preliminary numbers The Post first reported last week.

Throughout the OMB budget outline, the administration emphasizes its belief that local governments should be the ones primarily responsible for urban-development programs.

"State and local governments are better positioned to serve their communities based on local needs and priorities," the budget document says.

The budget proposal would eliminate funding for the Community Development Block Grant program, which supports a wide range of urban-renewal projects and received $3 billion in funding for 2017. The decades-old grant program has been used to fund such projects as the Lafitte Greenway in New Orleans and to support Hurricane Sandy recovery efforts.

Also recommended for elimination are the HOME Investment Partnerships Program, the Choice Neighborhoods program and the Self-help Homeownership Opportunity Program. Cutting those programs — which help redevelop low-income neighborhoods and encourage homeownership — will shave an additional $1.1 billion from HUD.

Experts and advocates have said the overall reduction in HUD's budget will put tremendous strain on the nation's housing authorities, which manage public housing and rely heavily on federal funding.

A more detailed budget document that The Post obtained last week showed significant cuts to maintenance funds, which would probably exacerbate a backlog of repair work nationwide.

Although the administration appears to have maintained funding levels for subsidized-housing programs, local housing authorities might be forced to scale back the number of housing vouchers because of inflation and rising housing costs. That could mean a loss of up to 200,000 subsidized housing vouchers in coming years, according to flat-funding estimates.

Region VIII Clips
Thursday, March 16, 2017

ANALYSIS

A number of stories today about flood concerns, flood preparedness and flood insurance.

- *Colorado:* The Colorado Springs City Council unanimously passed a measure that will require reviews and approvals by geohazard and other technical specialists for any building in areas that might be affected by landslides… A TV station and the Red Cross will give a "hometown hero" award to former Colorado Springs storm water manager Tim Mitros. The story and a comment by Mitros refer to his work after disasters, including possible aid from FEMA for those affected by landslides. … A red flag warning has been issued for the northeastern plains… A Denver TV station reported on a $1.1 million PA grant to Larimer County for the 2013 floods. The story also mentions FEMA's housing aid after the floods…. A story on fish hatcheries in northern Colorado notes that, for one in particular, this is the first year back in full operation after damage from the 2013 floods.
- *Montana:* The Bozeman *Daily Chronicle* had one of several stories across the state about flood concerns. … A Missoula radio station carried a story on flood preparedness and flood insurance.
- *North Dakota:* A trial has begun in Kansas City over whether the Corps of Engineers mismanaged outflows along the Missouri River in 2011, thus causing damage to landowners in five states… Two-way traffic, aided by pilot cars, will begin Friday along the highway that was closed during the pipeline protests. A bridge on the road was damaged by fire during the protests…. A federal judge refused to issue an injunction to stop the flow of oil beginning next week. Court battles continue over use of the pipeline and allegations of police misconduct… Cleanup at the protest camps has finished… A public meeting about flood risk was held at Valley City last night. Officials from NWS, North Dakota DES and FEMA took part. A video link to the one-hour meeting is included below…. The Minot *Daily News* ran a story about a public meeting Tuesday on flood preparedness and flood insurance. The meeting was hosted by the City of Minot and included the North Dakota Water Conservation Board and FEMA representatives.
- *South Dakota:* A story on flood preparedness and flood insurance in the Aberdeen *American News* includes comments from three FEMA sources.
- *Utah:* Sanpete Valley Hospital will hold a mass casualty drill next Tuesday that includes the Utah DES and eight other agencies… The current rebuilding and expansion project at the Salt Lake City airport should be complete in 2020. However, at projected growth rates, another new expansion may need to start in 2025.
- *Wyoming:* The BLM announced plans for three prescribed burns this spring.
- *Other FEMA-related stories:* Proposed budget cuts to HUD would eliminate the Community Development Block grants, which have played a role in disaster recovery.

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Hatcheries help spawn interest in fishing (Loveland Reporter Herald)

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Flood advisory issued for southwestern Montana (Bozeman Daily Chronicle; one of several stories across MT about flood concerns)

Need For Missoula County Flood Insurance Could Be Soon, Peak Runoff Expected In April Or May (KVGO-FM, Missoula)

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Army Corps on trial over Missouri River flooding complaint (Associated Press/Bismarck Tribune)

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BLM to conduct prescribed fire projects this spring (Northern Wyoming Daily News)

FEMA-RELATED STORIES
You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

Trump Budget Asks For $6 Billion In HUD Cuts, Drops Development Grants (Washington Post)

STORIES

COLORADO:

ON UNSOLID GROUND: City Council unanimously passes new landslide law for Colorado Springs (Colorado Springs Gazette)

By: Billie Stanton Anleu

March 14, 2017 Updated: Today at 6:12 am

0 0 0



Rick Sisco stands at the now edge of his property and describes what his yard looked like prior to the landslide. His home is pictured in the Skyway neighborhood on Friday, April 8, 2016. Photo by Stacie Scott, The Gazette.

The Colorado Springs City Council passed a new landslides ordinance Tuesday in a 9-0 vote - the exact opposite of the Planning Commission's unanimous vote rejecting the proposed law.

The stunning victory came as sweet relief for Councilmen Don Knight and Tom Strand, who worked on the ordinance since May, meeting eight times with stakeholders ranging from the Colorado Geological Survey to the local Housing & Building Association, and from geotechnical engineers to developers and people living in landslide zones.

Knight and Strand had proposed improving the law after landslides pulverized at least 28 homes since July 2015.

Planning commissioners had called it "a solution in search of a problem" and a measure that would stigmatize the half of the city west of Interstate 25.

"Our beloved Planning Commission thinks this only deals with folks on the west side of I-25. It affects both sides," Strand told his council colleagues. "This law answers issues, problems we've had and makes it stronger and better. We wanted to ensure that property owners knew they were going to be secure in how their foundations were set up. This is something the time has now come for us to deal with."

The new law ensures that the Colorado Geological Survey (CGS) will not only review site plans and make recommendations in advance, but also will get to see whether the builder implemented such safeguards when revising the plans.

"Initially, CGS professionals were involved at the beginning, would make recommendations and were left out at the end of the process," Strand said.

Dave Munger, executive director of the Council of Neighbors and Organizations, urged the council to enact the measure.

"We particularly thank Don Knight and Tom Strand for their leadership on this," Munger said, "closing the circle, if you will, and reminding us all that good practice should be safe practice. There are some pretty dramatic examples of how the past didn't work so well."

The new law also will:

- Require builders to get geological hazard reports on land within the hillside or streamside overlay zones, within a 100-year floodplain or within any landslide susceptibility or mine subsidence map published by the CGS. Also subject to that requirement are lands with unstable or potentially unstable slopes or slopes exceeding 33 percent; a history of a landfill or uncontrolled or undocumented fill activity, and other geologic hazards that cannot be mitigated through standard foundation and construction practices.

The existing law didn't require geohazard reports on individual lots, but the new law will, Planning Director Peter Wysocki said.

- The final geohazard study and the site's related plans - master, concept, development, preliminary plat, final plat or residential site plan - will be reviewed again by the CGS or an independent professional. If an applicant disagrees with recommendations by the city staff and CGS, then a panel of three geologists, geotechnical engineers or professional engineers could evaluate the geohazard study, too, and those findings will be added to staff recommendations. The applicant will pay for that panel.

- An improvement location certificate, showing that the construction matches the plans, must be submitted before the city will issue a certificate of occupancy.

"For everybody in the community involved ... we thought we were going to get it done in one month," Knight said. "It took a little longer, but it was worth the education."

Hometown Hero: Community Service Award winner Tim Mitros (Fox 21 News)

http://fox21news.com/2017/03/15/hometown-hero-community-service-award-winner-tim-mitros/
By Taylor Bishop Published: March 15, 2017, 10:09 pm

COLORADO SPRINGS, Colo. — FOX21 and the American Red Cross are partnering once again to honor some "Hometown Heroes," ordinary people who have done something extraordinary for their community or the lives of others.

We're highlighting this year's Community Service Award winner – a former city storm water manager who has continued to go above and beyond for the citizens of Colorado Springs.

When natural disasters occur, Tim Mitros comes running.

"This is a bad thing that's happened to people and they don't expect it to happen to them so they need somebody out there who can provide a positive aspect to what is happening and give them some, hope," said Mitros.

From post-Waldo Canyon Fire flooding to landslide victims, because of Mitros' relentless work, many minds have been put at ease.

Mitros said, "For the landslide victims, it's working with FEMA trying to find funding to try to make their lives whole again or at least as close to whole as I can make it."

When most jobs end at 5 p.m., Mitros is still on the clock-giving guidance and a lot of times just listening to people.

"He has that personal touch," said Pat Chappell. "The extra touch, the caring touch, you know those soft skills and the reassurance."

Chappell is the one who nominated him for the award.

"What's really neat about him, he's very shy and a humble type of a gentleman and he does so much and really doesn't want any credit for anything you know because that's just him," said Chappell.

But it's something in Mitros that makes his dedication to the community more than a job. It's having been through tragedy himself that allows him to really see and feel what others might be dealing with.

"My mom committed suicide, my sister also committed suicide, my dad and my mom had a very nasty divorce and you know I tried to learn from that." Mitros said, "When it happened it's like, 'what's wrong, what's going on?' and so I've tried to learn what kind of emotions people have and try to be positive from it instead of taking it as a bad thing is learning from it."

Hometown Heroes will get their awards March 16 during a dinner at The Broadmoor.

Sunny, breezy and dry weather prompts red flag warning on northeastern plains (Denver Post)

http://www.denverpost.com/2017/03/16/northeastern-plains-red-flag-warning/

Thursday's weather forecast for northeast Colorado calling for temperatures 20 degrees above normal, wind gusts up to 30 mph and low humidity trigger another late winter red flag warning.

Westerly winds could gust up to 33 mph on the northeastern plains, according to the forecast by the National Weather Service in Boulder. Relative humidity is expected to be 15 percent or lower.

The high temperature in Denver will be around 76 degrees, according to the NWS.

The Front Range is under a fire weather watch and the northeastern plains are under a red flag warning.

"Critical fire weather conditions will develop once again across the eastern plains by late Thursday morning," according to the NWS red flag warning for northeast Colorado.

Although temperatures on Friday will be a bit cooler than the past several days in Denver, the expected high of near 66 degrees is still above normal temperatures in the mid 50s for this time of the year.

The weekend will be balmy with high temperatures about 80 on Saturday and Sunday.

The first part of next week will be in the upper 60s, according to the NWS.

Larimer County receives FEMA grant for historic 2013 flooding (9 News)

http://www.9news.com/weather/larimer-county-receives-fema-grant-for-historic-2013-flooding/422915441 - video link

KUSA - It's been nearly four years since historic flooding devastated parts of Colorado, and repairs are still going on.

Now, some of those impacted will get a little help from FEMA.

The agency is giving Larimer County a grant worth $1.1 million.

The money will go toward repairing roads and bridges damaged during the September 2013 floods. Experts called the devastation a 1,000-year rain and 100-year flood.

In all, the waters caused about $4 billion worth of damage across 24 counties.

Nearly 2,000 people were rescued during that week, and nearly 19,000 homes were damaged. Ten people were killed.

FEMA provided temporary housing for displaced families.

It has also funded housing in areas where mobile homes were hit by the flood waters.

Hatcheries help spawn interest in fishing (Loveland Reporter Herald)

http://www.reporterherald.com/lifestyles/recreation/ci_30857627/hatcheries-help-spawn-interest-fishing

Bellvue-Watson hatchery back in operation after 2013 flood

By Michelle Vendegna
Reporter-Herald Staff Writer

POSTED: 03/15/2017 03:37:29 PM MDT

Northern Colorado Fish Hatcheries

•**Bellvue-Watson Fish Hatchery**, 4936 W. County Road 52E, Bellvue.

Site offers informational and educational material, self-guided tour, and food dispensers to feed the fish.

•**Poudre Rearing Unit,** 38195 Poudre Canyon, Bellvue.

Site offers educational material, self-guided tours with guided tours by appointment, food dispensers to feed the fish, nearby wildlife such as Bighorn sheep, deer, and elk.

Call ahead to any hatchery you plan to visit for hours and additional information. Visit the Colorado Parks and Wildlife website for a map and more information, cpw.state.co.us

It seems almost by magic that fish appear in lakes throughout Colorado, almost. But 16 fish hatcheries around the state of Colorado work year-round to ensure you can get that perfect catch and you can see how at no cost.

"Most of our hatcheries are self-guided tours. Here we are open daily from 8 a.m. to 3 p.m.," said Jesse Faue, hatchery supervisor for Bellvue-Watson Fish Hatchery, 4936 W. County Road 52E, Bellvue.

There are 18 hatcheries on Colorado Parks and Wildlife map, (cpw.state.co.us/learn/Pages/Hatcheries.aspx). The experiences vary with some having guided tours or visitors centers while other may have just signs.

"This year is going to be our first year fully back up and running," Faue said of Bellvue-Watson. The hatchery was heavily damaged in the September 2013 flood. The crew has been repairing pipelines in addition to needed infrastructure upgrades for normal wear and tear.

"Currently, the big thing to do is to come out, get some feed, walk around, feed the fish, see the fish and see one of their state fish hatcheries," he said of what visitors can expect. Fish food is 25 cents for a hand full from the gumball machines around the raceway area. The funds go to purchasing the food.

"There is always somebody around somewhere. (Visitors) are welcome to find someone on the crew here or stop by the office with questions," he said.

Faue is anticipating getting new signs and adding a small visitors center this summer.

"Really, we are kind of hoping to have a big reopening in June in the sense of new signs and a visitors center, something more for people to see, learn and do," he said.

The visitors center will be a small building with displays created by the crew at the hatchery, focused on fishing.

"One of the staff members is building a mock rivers kind of demo so they can see what the ecosystem of the river looks like. We have a whole bunch of flies in it so we can show people different types of flies to use in different seasons in the Poudre River and in this area. A lot of neat things coming with the visitors center," he said.

The Bellvue-Watson Fish Hatchery raises about 300,000 rainbow trout a year. It takes about 14 to 16 months to get the fish up to catchable size, 10 inches. The hatchery stocks fishing spots in Wellington, Fort Collins, Loveland, Longmont and as far east as Jumbo Reservoir in Julesberg and Hale Ponds in South Republican State Wildlife Area, formerly known as Bonny Lake State Park, near the Colorado/Kansas border.

"We cover a lot of country up in this area," Faue said.

Large groups, such as students from the local schools, can call ahead to arrange a guided tour of the hatchery.

"We give them a short presentation on what we do at the fish hatchery. We walk them through our job of getting fish eggs all the way to what we consider a catchable trout, a 10-inch trout, and that process we go through to get them that size," Faue said.

The hatcheries are not funded by general tax sales but by the sale of hunting and fishing licenses. Faue said if the public likes the mission, they can support the hatcheries by getting outdoors.

"The best way people can help is buy a fishing license and take a kid fishing," he said.

Faue said the hatchery offers kids a chance to see what the outdoors has to offer.

"I grew up hunting and fishing and it's something we're not seeing as much anymore. When people come out here, kids always leave excited about having fed the fish, seeing the fish and then wanting to go fishing," he said. Visitors can take a right as they leave the facility and head straight into Watson Lake State Wildlife Area to continue the experience.

"It's a great way for the entire family to come out, spend some time outdoors," he said. Faue said there is no age limit for the fun of feeding fish. He's been a supervisor for seven years at the facility and has never gotten bored of it.

"It's the one thing," he said, "no matter how your day is going, you can go out and feed fish and it's always exciting."

Michelle Vendegna: 970-699-5407, vendegnam@reporterherald.com

MONTANA:

Flood advisory issued for southwestern Montana (Bozeman Daily Chronicle; one of several stories across MT about flood concerns)

http://www.bozemandailychronicle.com/news/flood-advisory-issued-for-southwestern-montana/article_feafc47d-8ac0-544e-aaeb-d0d38f6d0850.html

- By Chronicle Staff

The National Weather Service has issued a flood advisory for melting snow across southwestern Montana until 10:15 Friday morning.

The advisory covers Broadwater, Beaverhead, Madison, Jefferson and northern Gallatin counties.

As of Wednesday afternoon, no flooding had been reported in Gallatin County, according to the county road department.

With daytime temperatures in the 50s and 60s and nighttime, snow is melting quickly at elevations below 8,000 feet, which may lead to localized flooding around small streams and creeks, the weather service said.

Need For Missoula County Flood Insurance Could Be Soon, Peak Runoff Expected In April Or May (KVGO-FM, Missoula)

March 15, 2017

Missoula usually sees peak runoff from snowmelt around May, but Missoula County's Floodplain Administrator, Todd Klietz warns that it can come much sooner, and that folks should be ready.

"The very earliest in the year that we've had peak runoff, that's been recorded anyway, has been April 13th, and why that's important to get the word out to people now is that if they wish to have FEMA flood insurance… and basically anyone in Missoula County can get FEMA flood insurance… they need to know that there is a 30 day wait limit once they get their policy," Kleitz said.

Kleitz said flooding can be a big issue along the Bitterroot, but there are even places in the city of Missoula get hit hard.

"The first place that we see it is in the Tower Street area, just west of Reserve Street," Kleitz said. "The reason we see it there is that prior to 1949, there wasn't a levy that was along that area. We had floods in 1948 that flooded the Orchard Homes area and after those floods, the Corps of Engineers built a levy, but the levy stops just east of Tower Street."

According to Kleitz, Montanans have a rather low rate of flood insurance, compared to those in other states. He says that FEMA flood insurance doesn't just come from issues in the flood plain and that things like street melt can also be covered.

NORTH DAKOTA:

Army Corps on trial over Missouri River flooding complaint (Associated Press/Bismarck Tribune)

Mar 16, 2017

KANSAS CITY, Mo. (AP) — The U.S. Army Corps of Engineers is defending itself at trial against more than 300 farmers and other landowners who say the agency's management of the Missouri River has contributed to major flooding in five states, most notably 2011 flooding that caused billions of dollars in damage.

The lawsuit, filed in 2014 in the U.S. Court of Federal Claims, argues that the Corps has altered its practices regarding the river's water storage, release and flow management since the mid-2000s, de-emphasizing flood control while pushing to restore habitat for endangered species. It contends that the Corps unconstitutionally deprived plaintiffs of their land, essentially taking it without compensation.

Although the lawsuit doesn't specify the amount of damages being sought, the landowners' attorney has said it could exceed $250 million. The plaintiffs believe case law is on their side, given a U.S. Supreme Court ruling in December 2012 that the federal government is not automatically exempt from paying for damage caused by temporary flooding from its dams.

The case, which isn't expected to be decided until this summer at the earliest, reflects longstanding debate about the Corps' management of the river as the agency tries to strike a balance among competing interests — landowners, the barge industry, water suppliers, hydropower utilities, environmentalists and recreational users of the waterway, notably on upriver reservoirs. Regulating the river's levels comes through the Corps' management of discharges from a half-dozen large upstream reservoirs, each meant to hold snowmelt and other excess water during the spring before the Corps gradually releases it the rest of the year.

In court filings, the federal government argues that authorities never promised to stop all flooding along the 2,341-mile-long Missouri River, which flows into the Mississippi River north of St. Louis. The Corps, which has said it is required by Congress and the courts to act in the river's best interest, maintains that providing habitat for endangered species didn't exacerbate the inundation six years ago — a claim echoed by a top Midwest volunteer for the Sierra Club.

The trial started last week. The Corps typically does not comment publicly about litigation, and it didn't reply to recent messages by The Associated Press.

Outside experts who reviewed the 2011 flooding said the Corps did the best it could in dealing with record amounts of water that flowed into the river after unusually heavy spring rain in Montana and North Dakota.

That flooding lasted more than three months after the Corps began releasing massive amounts of water from swollen upstream reservoirs. It overwhelmed levees, carved gouges up to 50 feet deep, created sand dunes 15-feet-high, deposited debris in farmers' fields and devastated hundreds of thousands of acres of mostly farmland in South Dakota, Nebraska, Iowa, Kansas and Missouri.

Caroline Pufalt, the St. Louis-based chairwoman of the Sierra Club's Missouri River Network, said blaming the Corps on environmental grounds is "a red herring," and that while the Corps may make decisions in the interest of habitat, such actions are rare.

Pufalt said the Corps did the best it could six years ago, given "unusual circumstances" involving so much water in the Missouri River system.

"These floods were kind of unavoidable," Pufalt said. "The folks who have filed this lawsuit mistakenly think there's some magic thing the Corps can do, given the current river, that will take away their flood risk, and that's not going to happen."
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The Latest: Highway shut down by protests to see traffic (NewsCenter 1 TV)

Posted March 15, 2017
BISMARCK, N.D. (AP) (NewsCenter1TV)

Officials are re-establishing traffic on a stretch of highway in North Dakota that has been closed for months due to protests against the Dakota Access oil pipeline.

The stretch of state Highway 1806 was shut down in late October after a bridge was damaged by fires during protests.

Authorities say that beginning at noon Friday, two-way traffic will be allowed with the assistance of pilot cars that will escort vehicles over a 9-mile stretch. That system will continue until authorities deem it safe to resume normal traffic without pilot cars.

The stretch of highway is near the area where pipeline opponents camped for months. The camps were cleared out and shut down late last month in advance of spring flooding season.

Judge won't stop oil from flowing through disputed pipeline (AP)

Wednesday, 15 Mar 2017 | 10:49 AM ET The Associated Press (CNBC)

BISMARCK, N.D. (AP) — A judge refused to head off the imminent flow of oil in the disputed Dakota Access pipeline, likely clearing the way for operations to begin next week.

U.S. District Judge James Boasberg in Washington, D.C., denied a request by the Standing Rock and Cheyenne River Sioux tribes to stop oil from flowing while the tribes appeal his decision last week allowing pipeline construction to finish.

"The critical factor here is Cheyenne River's lack of likelihood of success on the merits ... plaintiff does not have a strong case on appeal," Boasberg said in his ruling Tuesday.

Cheyenne River attorney Nicole Ducheneaux did not immediately respond to a request for comment Wednesday.

Texas-based pipeline developer Energy Transfer Partners is finishing up pipeline work beneath Lake Oahe, a Missouri River reservoir in North Dakota and the last piece of construction on the 1,200-mile, $3.8 billion pipeline to move North Dakota oil to a distribution point in Illinois. The tribes maintain an oil pipeline under the lake they consider sacred violates their religious rights, but Boasberg says the argument was made too late and is of questionable merit.

The judge also said ETP would be "substantially harmed" by a delay, as it prepares to move oil through the pipeline as early as Monday.

Both ETP and the Army Corps of Engineers had objected to the tribes' latest attempt to halt the project, with Corps attorneys saying in court documents that President Donald Trump "has expressly determined that the pipeline is 'in the national interest.'"

The Corps last month granted ETP permission to lay pipe under the reservoir that it manages for the federal government, after Trump in January urged the project's completion after months of legal delays.

The court battle isn't over. Aside from the tribes' appeal to the U.S. Court of Appeals for the District of Columbia Circuit on the religion argument, the tribes in their lawsuit before Boasberg are arguing for more environmental study and for the government to recognize the tribes' treaty rights to clean water.

The Corps on Tuesday filed its opposition to those requests, saying the agency's permission for the Lake Oahe work "represents the culmination of over two years of detailed environmental analysis and extensive consultation with (the tribes)."

The pipeline saga also has endured for months outside of the courtroom, with about 750 arrests of protesters in southern North Dakota from August through February. Amnesty International USA on Wednesday said it has documented numerous instances of excessive force or intimidation by police and excessive criminal charges.

The organization in a letter asks Republican Gov. Doug Burgum and Attorney General Wayne Stenehjem to drop or consider dropping charges against protesters, review police practices and open independent investigations into several specific cases.

Police have defended their practices, which have included water sprays, tear gas and non-lethal ammunition such as rubber bullets. Police have said some protesters were violent and took part in riots, and that some targeted police both professionally and personally.

The Latest: Cleanup finished at pipeline protest camps (KTIV)

BISMARCK, N.D. (AP) – KTIV.com

The Army Corps of Engineers has finished cleaning up three Dakota Access pipeline protest camps that were on federal land in North Dakota.

The Corps hired a contractor after the main camp and two others were cleared out and shut down late last month in advance of the spring flooding season. They'd operated since last spring and at times held thousands of pipeline opponents.

Corps Capt. Ryan Hignight says a total of 835 industrial-size trash bins were filled and removed in the operation that wrapped up late last week. That doesn't include materials such as lumber and propane tanks that were set aside for reuse or recycling.

The total cost of the operation hasn't been tallied yet, but the Corps has estimated that it could cost taxpayers more than $1.1 million.

Flood Preparedness Meeting In Valley City (NewsDakota.com)



March 15, 2017
By: Steve Urness (NewsDakota.com)

VALLEY CITY, N.D. (NewsDakota.com) – Local, state and federal officials held a meeting in Valley City to help citizens learn more about the flood outlook and steps residents and businesses can take to reduce their flood risk this spring.

The meeting included representatives from the National Weather Service, North Dakota Emergency Services and Senior Floodplain Specialist Barbara Fitzpatrick from the Federal Emergency Management Administration in Valley City.

To learn more about your flood risk and the facts about flood insurance coverage talk to your local insurance agent or log onto www.fema.gov/r8flood

National Weather Service Forecast Greg Gust said the probability of the Sheyenne River in Valley City reaching 12 feet is at 50 percent.

Gust and other federal and state officials discussed flood risk issues and gave tips to residents during a Town Hall meeting on March 15th. To view the entire meeting click on the video available below.

Time To Buy (Minot Daily News)

March 15, 2017

Even with the current low flood risk from the Souris River, federal, state and local officials are encouraging residents to purchase flood insurance to protect themselves from any overland flooding or unforeseen events.

Representatives of the Federal Emergency Management Agency, North Dakota State Water Commission and City of Minot held an outreach meeting Tuesday to provide residents with information on flood risk and flood insurance and to answer questions.

FEMA and state statistics show the numbers of state residents who have purchased insurance is down 12 percent from a year ago. It is down an estimated 50 percent from the 2009 to 2011 period, when various areas in the state faced floods and potential floods. Nearly 20,000 North Dakotans carried flood insurance during that peak.

A 1 percent chance of a flood exists every year for residents in the 100-year flood plain. Households are at a greater risk of flood than fire, according to FEMA.

A flood event from overland water flow needs only to affect two or more property owners in the city or two acres in the rural area to be eligible for a claim. Spring snowmelt and heavy rainfall can lead to a flood event.

"A quarter of all claims are outside the 100-year flood plain," said Brian Hvinden, external affairs specialist with FEMA's Denver office.

"It really can happen in any location."

For that reason, residents across Minot and not just those in the valley or any known flood plain are urged to consider purchasing insurance. There is a 30-day wait after buying insurance before a policy becomes effective.

A preferred risk premium, which most Minot residents would qualify for, is about $475 a year for the maximum coverage of $250,000 on the structure and $100,000 on contents. People can insure for less coverage at a lower premium.

Should another large-scale flood event occur, any uninsured property that previously received FEMA assistance in 2011 would be severely limited in the amount of FEMA assistance available again.

Minot City Manager Tom Barry is urging homeowners to buy insurance and lock in the current premium. FEMA is revising Minot's flood plain, which is expected to put many homes now in a preferred risk zone into a higher risk flood zone and drastically increase premiums. Preliminary maps for Minot and Ward County should be released in June and public open houses will be held over the summer.

The city and county can appeal any objections to the map details through the fall of 2017. However, the city and county already are working with FEMA and the North Dakota State Water Commission to refine the preliminary map before it is released. Adoption of a final map is tentatively scheduled for the summer of 2018.

Flood plain maps show flood elevations, flood zones and flood plain boundaries. The current flood plain map was produced 15 years ago.

Homeowners who lock in their premiums now will be grandfathered so when premiums are adjusted, future increases will be limited to no more than 18 percent a year. Premiums then will gradually increase until reaching the new premium set for that rate class. Homeowners also will be able to transfer their grandfathering if they sell their houses.

Barry said the city is participating in the federal Community Rating System, which sets out a number of steps that local governments can take in flood plain management. Minot already has made strides that have produced a 10 percent discount for residents.

Residents who want to know more about flood insurance and how they can mitigate their flood risk can find information online at fema.gov/r8flood.

SOUTH DAKOTA:

Being Out Of Floodplain Doesn't Mean Homes Won't Flood (Aberdeen News)

By Kathy Jensen

March 15, 2017

A Federal Emergency Management Agency official has a tip for people who might be contemplating flood insurance.

"When the flood's coming in your backyard, it's too late," said Brian Hvinden, FEMA external affairs specialist.

Flood insurance doesn't go into effect until 30 days after it's been purchased, Hvinden said. In other words, now is not a bad time to consider a policy.

He traveled through the region last week, talking about the importance of flood insurance.

There was a 7 percent decrease in flood insurance policies for South Dakota and a 12 percent decrease for North Dakota between December 2015 and December 2016, Hvinden said.

"We always see spikes after a major event," Hvinden said.

But after a few years go by, people start thinking they don't need it.

Flood insurance doesn't cover only large events, said Tom Birney, National Flood Insurance Program state specialist.

Aberdeen hasn't had large-scale flooding since 2007, but there have been flooded streets and backyards since, Birney said.

To file a claim, there needs to be flooding on 2 acres or two properties, he said.

"If my property and the street or my neighbor's property floods, I can file a claim," Birney said.

A common issue is that most homeowner's insurance doesn't cover flooding, he said.

With flood insurance, the building — foundation, electrical, plumbing, structural integrity — as well as its contents are covered, Birney said.

Property owners don't have to live in a floodplain to buy flood insurance, he said. About 30 percent of claims come from outside high-risk zones.

Food maps aren't always accurate, said Jerry DeFelice, FEMA external affairs specialist for the South Dakota area.

The maps aren't updated annually because it takes quite a bit of work to make the maps, DeFelice said. So new developments, such as a parking lot or building, can increase runoff and change the flood risk, he said.

Aberdeen has a higher-than-average number of policyholders compared to the rest of the state, Birney said.

Currently, about 197 properties in Aberdeen are covered by flood insurance. Within Brown County, there are 257 policyholders.

Aberdeen residents are able to buy government-backed flood insurance because the city became a member of the National Flood Insurance Program in 1978.

When a town joins, it is offered disaster assistance by FEMA and flood insurance. In exchange, the community promises to manage its floodplain and build in areas that are reasonably safe for development.

Since becoming a member, there have been 326 claims made by flood insurance policyholders in Aberdeen.

Rates are set by the federal government based on geographic data and risks. Properties in areas of higher risk have higher premiums.

The average premium in Aberdeen is about $895 a year, Birney said.

Those in low-risk areas can get a preferred risk policy with maximum coverage for about $600 a year, he said.

Since the rates are set by the government, the cost of a policy should be equitable no matter the insurer, Birney said.

UTAH:

Sanpete Valley Hospital, local agencies to hold disaster drill (Daily Herald)

MT. PLEASANT — In an effort to evaluate local resources and knowledge relating to disaster management, Sanpete Valley Hospital's trauma services has initiated a mass casualty drill to take place Tuesday, March 21.

This drill is in partnership with local and state agencies including MT. Pleasant Police Department, Sanpete County Sherriff's Office, Snow College, Utah Department of Emergency Management, Utah Highway Patrol, North Sanpete Ambulance Association, Ephraim Ambulance, Manti Ambulance, and North Sanpete High School.

Starting at NSHS, the drill will consist of a mock shooting to incorporate an interagency response with law enforcement and emergency medical services (EMS) on the scene, and then continue to more definitive medical care as "victims" are transported to Sanpete Valley Hospital.

"This drill will serve as a vital piece in our community efforts to prepare and train – should such an event actually occur," explains Dr. Dave Krzymowski, SVH Trauma Director/Surgeon. "After meeting with representatives from each of the participating agencies, we can see that this will be highly beneficial to each organization, as well as the community we serve."

Rebuilt SLC International Airport may be too small just 5 years after it opens (Salt Lake Tribune)

By LEE DAVIDSON | The Salt Lake Tribune

Officials say more construction could be in order not long after the projected 2020 completion.

The massive $2.9 billion project to rebuild Salt Lake City International Airport may handle projected air traffic for as little as five years after completion — until 2025.

That information emerged Wednesday in an exchange at the Airport Advisory Board.

"Will it take care of us for 25 years?" state Sen. Karen Mayne, a board member, wanted to know about the reconstruction project's ability to handle growth.

"It could be five," said Kevin Robins, the interim airport director.

That surprisingly short projected shelf life is due to growing demand for more flights. Robins said that, with the additional gates and flights airlines are now seeking, the airport may need to build all of a planned second, northern concourse.

About 15 extra gates there have been penciled in, and officials may decide in a year or two whether to add them and "keep building. Those 15 gates are sort of a relief valve," said Terminal Redevelopment Project Director Mike Williams.

Robins said, "If we build the entire north concourse, that starts putting enough pressure on the baggage-handling system that we may have to look at actually expanding the terminal to accommodate the additional gates."

With an eye to the far-distant future, Mayne asked if the airport has enough land to build even more than the two now-planned, parallel concourses.

Robins said master plans include a third concourse eventually. The airport also has enough land "that if we needed to, we could add a fourth concourse. It would require us to move a lot of the north support facilities."

Robins said master plans are "trying to address, 'What is the future if we continue the growth we are experiencing now?' "

He added that the airport at present "continues to face the good problem of growing traffic and not enough rooms at the inn to be able to accommodate" it.

Among new service that he said has been announced are Delta flights beginning in December to Maui, Hawaii, and Tampa, Fla. "We did have Maui service before, and it's coming back in December."

He also said United recently started new nonstop service to Newark, N.J. Southwest has added service to Burbank and Sacramento, Calif.

And internationally, KLM later this month will restart nonstop service to Amsterdam.

"All good problems to have," Robins said. "We continue to make contingency plans."

The current $2.9 billion project aims to build a new terminal and two new parallel concourses by 2020, replacing all current terminals and concourses.

The current airport was designed to handle about 10 million passengers a year, and is now seeing more than twice that number.

The airport's proposed 2018 budget, unveiled Wednesday, includes $744 million of planned work that year on the new terminals and concourses.

So far, most construction for the terminal redevelopment project has been underground and largely out of sight. That's about to change.

Construction of foundations and installation of miles of utilities have progressed to the point that structural steel is about to spring skyward.

"We are starting to get out of the ground," Williams reported.

He said structural steel will start to be erected next month at the new south concourse, "so you will really start to see the buildings come up out of the ground."

He added, "Work is going on everywhere on the 135-acre site right now. It's pretty amazing."

Roads around the airport continue to be rerouted as needed for construction.

Williams said construction of a new "park-and-wait" lot has been completed, and traffic will likely be shifted to it in May — when the current park-and-wait lot will be removed for redevelopment work.

The new 2018 budget for the airport, which is subject to approval by the Salt Lake City Council, also proposes to spend $103.9 million on airport operations. It includes a 3 percent increase in wages for airport employees.

About 40 percent of projected operation revenues come from "landside" concessions such as maintaining and fueling aircraft; 38 percent from airline fees; 12 percent from terminal concessions; with the rest from leases, aviation tax, general aviation fees and other sources.

WYOMING:

BLM to conduct prescribed fire projects this spring (Northern Wyoming Daily News)

March 15, 2017

WORLAND — The Bureau of Land Management Wind River/Bighorn Basin District tentatively plans to conduct three prescribed fire projects within the Cody and Worland field office areas this spring. These projects are contingent upon fuel moisture and weather meeting optimal treatment conditions.

“The prescribed fire projects are designed to enhance rangeland and woodland vegetation health, improve wildlife habitat, increase livestock and wildlife forage and improve distribution, and reduce the hazardous build-up of fuels which lessens the probability of a severe wildfire,” said BLM Fire Management Officer Rich Zimmerlee.

The projects may be conducted March through May in the following locations:

Hooligan Springs: Approximately 100 acres of juniper, timber litter and mountain shrub in ponderosa pine understory will be targeted. The project area is located in the Renner Wildlife Habitat Management Area 10 miles north of Ten Sleep.

Medicine Lodge: Mosaic sagebrush burning, encroaching conifer reduction and aspen enhancement are the goals on a little more than 200 acres of BLM and Wyoming Game and Fish Department (WGFD) lands. The 3,000-acre project area lies approximately 5 miles northeast of Hyattville in the Medicine Lodge Wildlife Habitat Management Area.

West Slope: Approximately 200 acres of juniper will be targeted to continue long-term improvements of big game habitat conditions in cooperation with WGFD. This project is 15

miles east of Lovell on the west slope of the Bighorn Mountains, northwest of Cottonwood Canyon.

Removing overstory shrubs and trees through the use of prescribed fire opens up areas for grasses and forbs and provides for new growth with more palatable and nutritious forage. Removing understory vegetation through prescribed fire reduces encroaching, competing species and clears the area of heavy fuels, which improves the overall health of the area.

For more information, contact Rance Neighbors at 307-347-5100 or Tim Haas at 307-578-5938. For more information on prescribed fire and vegetation management on public lands, visit http://www.forestsandrangelands.gov/.

FEMA-RELATED STORIES:

Trump Budget Asks For $6 Billion In HUD Cuts, Drops Development Grants (Washington Post)

By Jose A. Delreal

Washington Post, March 16, 2017

The Trump administration will slash more than $6 billion in funding for the Department of Housing and Urban Development and eliminate community development grants, according to a budget outline obtained by The Washington Post.

The Office of Management and Budget's "blueprint" for 2018 puts HUD's funding at $40.7 billion, down from $46.9 billion in 2017, representing a cut of 13.2 percent. The funding levels detailed in the OMB's blueprint closely match preliminary numbers The Post first reported last week.

Throughout the OMB budget outline, the administration emphasizes its belief that local governments should be the ones primarily responsible for urban-development programs.

"State and local governments are better positioned to serve their communities based on local needs and priorities," the budget document says.

The budget proposal would eliminate funding for the Community Development Block Grant program, which supports a wide range of urban-renewal projects and received $3 billion in funding for 2017. The decades-old grant program has been used to fund such projects as the Lafitte Greenway in New Orleans and to support Hurricane Sandy recovery efforts.

Also recommended for elimination are the HOME Investment Partnerships Program, the Choice Neighborhoods program and the Self-help Homeownership Opportunity Program. Cutting those programs — which help redevelop low-income neighborhoods and encourage homeownership — will shave an additional $1.1 billion from HUD.

Experts and advocates have said the overall reduction in HUD's budget will put tremendous strain on the nation's housing authorities, which manage public housing and rely heavily on federal funding.

A more detailed budget document that The Post obtained last week showed significant cuts to maintenance funds, which would probably exacerbate a backlog of repair work nationwide.

Although the administration appears to have maintained funding levels for subsidized-housing programs, local housing authorities might be forced to scale back the number of housing vouchers

because of inflation and rising housing costs. That could mean a loss of up to 200,000 subsidized housing vouchers in coming years, according to flat-funding estimates.

From: Welch, Randy
Sent: 21 Mar 2017 16:41:12 +0000
To: R8 All Hands
Cc: (b)(6) (b)(6)@state.co.us (b)(6)@state.co.us; (b)(6)@mail.mil; (b)(6) (b)(6)@mail.mil (b)(6)@nd.gov; (b)(6)@state.sd.us; (b)(6)@state.sd.us; (b)(6)@utah.gov (b)(6)@wyo.gov; (b)(6)@acf.hhs.gov (b)(6)@usace.army.mil; (b)(6) (b)(6)@usace.army.mil; (b)(6)@state.mn.us;Peterson, Mark J (b)(6) (OGA); (b)(6)@hhs.gov (b)(6)@hhs.gov; (b)(6)@sba.gov; (b)(6)@sba.gov;Nelson, Jason; (b)(6)@fs.fed.us;Alexander, Daniel; (b)(6)@atf.gov (b)(6)@aveshka.com;Carlson-Sherbo, Diana
Subject: FEMA Region 8 clips for Tuesday 3-21-17
Attachments: R8 Clips 03-21-17.docx

Region VIII Clips

Tuesday, March 21, 2017

ANALYSIS

- *Colorado:* Cooler weather in the state may start Tuesday, with moisture in the Denver metro area starting Thursday, reducing fire danger… The *Denver Post* ran a story on preventing human-caused fires… Evacuees from the Sunshine Fire have been allowed to return home. Reuters also had a story on evacuees returning (and it was mentioned on CBS News). ... The record dry March has prompted fire bans… Costs to rebuild the Arkansas River Levee in Pueblo "to FEMA standards" continue to rise, prompting a tax increase… The warm weather has led to record March flows on the Elk River.
- *Montana:* The *Billings Gazette* reported on localized flooding in northeastern Montana. The situation was expected to improve… Lolo Pass hot springs has been lost to floodwaters.
- *North Dakota:* State Insurance Commissioner Jon Godfread urges residents to get flood insurance now. The story notes that NE North Dakota currently faces the highest flood threat of anywhere in the U.S…. WDAZ TV also cited the insurance commissioner's call, but used a local insurance agent for more comment… The company building the Dakota Access Pipeline says oil will begin flowing between Monday and Wednesday this week despite "coordinated physical attacks" on the line. No more details were given about the attacks. One group of activist opponents to the pipeline denied any involvement in the attacks.
- *South Dakota:* … A massive experiment planned to capture neutrinos could result in the largest project ever built in the state – largely underground in Lead.
- *Utah:* No FEMA-related stories
- *Wyoming:* A story by Wyoming Public Radio on potential flooding includes comments from FEMA NFIP specialist Diana Herrera. … A landslide temporarily closed a section of Hwy. 89 in the Snake River Canyon… There was a wildfire in the Tongue River Canyon.

- *Other FEMA-related stories:* Reuters carried a story on the proposed cuts to the NFIP mapping budget… *USA Today* ran a story on the extraordinary record of wildfires already this year.

CONTENTS

COLORADO:

Don't put away your snow shovel just yet, Denver (Denver Post)

It's already dangerously dry in Colorado. Here are 7 ways humans caused wildfires without meaning to. (Denver Post)

Evacuees from Boulder's Sunshine fire can return home; blaze now 100 percent contained (Denver Post)

Colorado residents return to homes after Boulder wildfire (Reuters)

Exceptionally Dry March Continues, Fire Bans In Place On Colorado's Front Range (CBS TV, Denver)

More money needed for levee project (Pueblo Chieftain)

March heat blows Elk River record out of water (Steamboat Today)

MONTANA:

Northeastern Montana flooding closes roads, threatens property and sets record (Billings Gazette)

Floodwaters wipe out popular Jerry Johnson hot springs pool (Missoulian)

NORTH DAKOTA

Now is the time to consider flood insurance, North Dakota commissioner warns (Forum News Service/Bismarck Tribune)

Flood insurance: To buy or not to buy? (WDAZ-TV, Grand Forks)

Company: Dakota Access pipeline on track, despite "threats" (Bismarck Tribune)

Environment activists deny attacking Dakota Access pipeline (AP, Bismarck Tribune)

SOUTH DAKOTA:

DUNE project in Lead would be among most sophisticated projects ever (Rapid City Journal)

UTAH:

No FEMA-related stories

WYOMING:

As Snowpack Melts, Flooding Could Become Major Problem (Wyoming Public Radio)

Landslide Crumbles Highway 89 (Jackson Hole News and Guide)

Early Wildfire In Tongue River Canyon Investigated (Associated Press)

FEMA-RELATED STORIES
You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

Trump's cut to flood map program could trigger insurance rate hikes: group (Reuters)

U.S. Sees Furious Start To The Wildfire Season (USA Today)

STORIES

COLORADO:

Don't put away your snow shovel just yet, Denver (Denver Post)

Wet, cooler weather in the Front Range forecast; could dampen fire dangers

By Kieran Nicholson | knicholson@denverpost.com | The Denver Post
PUBLISHED: March 20, 2017 at 5:37 pm | UPDATED: March 21, 2017 at 7:38 am
Don't put your snow shovel away just yet, Denver.
After weeks of dry and sometimes unseasonably warm weather, including record-setting high temperatures, much-needed moisture is in the forecast for northeastern Colorado, with a chance of rain in Denver starting Thursday afternoon and possibly changing to snow overnight.
March is typically Denver's snowiest month, but the city has seen just a trace of snow so far this month.
"It would definitely be a big help," said Jim Kalina, a meteorologist with the National Weather Service, of the cool, wet forecast. "It would be a big boost this time of year."
A high pressure ridge locked over Colorado is weakening, which will allow moisture and cooler weather to flow into the state starting Tuesday in the mountains, where there will be a chance of rain and snow, with the snow line at about 10,000-feet in elevation, according to the weather service. Snow accumulations in the mountains on Tuesday, however, should be "minor."
Also on Tuesday, there's a slight chance of rain showers over the eastern plains.
On Wednesday, warm, dry and breezy conditions in northeastern Colorado will once againelevate fire dangers in the foothills and on the plains, the weather service reports.
Relief for severely parched northeastern Colorado comes into play Thursday into Friday as a storm system tracks slowly across the state.
"We are looking right now for Thursday night into Friday, we have a good chance of some rain and maybe even a little bit of snow mixed into that," for the Denver forecast, Kalina said. Denver could see between one-quarter inch up to 1-inch of moisture from the upcoming storm system.
"Depending on the track of the storm, we have the potential to get some good moisture with this," Kalina said.
Some mountain areas along with the higher foothills could see several inches of snow as moderate to heavy rains fall across the plains. At lower elevations, areas south of Denver to the Palmer Divide could see heavier amounts.
Dry and warmer weather should return to northeastern Colorado on Saturday, but a few more waves of moisture could be developing for Sunday and Monday night into next Tuesday.
"We're in a pattern where we may see a few more storm systems coming across," Kalina said. "I don't see much of a problem with that."

It's already dangerously dry in Colorado. Here are 7 ways humans caused wildfires without meaning to. (Denver Post)

From cigarette butts to a flaming love letter, wildfires can easily ignite in Colorado

http://www.denverpost.com/2017/03/20/dry-weather-colorado-human-caused-wildfires/ - good video as part of this story

By Jesse Paul | jpaul@denverpost.com | The Denver Post
PUBLISHED: March 20, 2017 at 1:58 pm | UPDATED: March 20, 2017 at 4:36 pm

The past few months have been among the warmest and driest on record and in recent memory, leaving tinder-dry conditions in Colorado ripe for fast-moving and large wildfires.

As of Monday, the National Weather Service in Boulder had issued 17 red-flag warnings for fire danger since Jan. 1 — 11 of them in the first 20 days of March alone.

"March is one of our snowiest months, normally, with about an average of 11.2 inches of snow in Denver," said Natalie Sullivan, a meteorologist with the weather service's office in Boulder. "We haven't received any snow this month. We are definitely having warm, dry conditions and wind as well."

While the danger of wildfires exists year round in Colorado, officials say the public needs to be more aware than ever during this dry spell. Fire bans have been enacted across the Front Range.

"If there is a red flag warning out nobody should be open burning or throwing cigarette butts out the window," Sullivan said. "The brush and the fuels are dry and ready to burn. If you give them any ignition, then the wind will allow the fire to spread very quickly."

State fire officials worry that because it's so early into the year, some people aren't following the basic Colorado fire prevention rules.

"We do really believe that people need to be a lot more cognizant of what they're doing," said Caley Fisher, spokeswoman for the Colorado Division of Fire Prevention and Control. "Wildfires are a serious threat to life and property, especially right now."

She added: "One tiny little spark can create a huge flame and engulf an entire region."

Here are some ways people have ignited wildfires in Colorado:

1. Target shooting

Recreational shooters have started a number of wildfires across Colorado. Heat from bullets is more than enough to ignite dry fuels, especially grasses and brush. In February, the Rabbit Mountain fire near Hygiene was started by target shooters who were aiming at steel plates. A fragment from one of their rounds ignited nearby grasses and charred 151 acres, prompting dozens of evacuations and consuming a barn and several outbuildings. On Sunday, officials say a shootertriggered a more than 50-acre wildfire between Lochbuie and Brighton that could be seen for miles.

2. Cigarettes

Authorities say cigarettes are one of the most common causes of wildfires, prompting roadside blazes that have consumed large areas. A cigarette butt tossed from a passing car was blamed for starting a 150-acre wildfire in Fort Collins last month. Three firefighters died battling the 2002 Big Elk fire west of Lyons, which is believed to have been ignited by a cigarette and burned thousands of acres. The 1989 Black Tiger fire in Boulder Canyon, also started by a cigarette, burned more than 2,000 acres, destroying 40 homes and causing roughly $10 million in damage.

3. Campfires and stoves

The May 2012 Hewlett fire northwest of Fort Collins raced from a backpacking-style cookstove and consumed 7,600 acres. July 2016 Cold Springs fire near Nederland burned a relatively small area — only about 500 acres — but destroyed eight homes, including one belonging to two local firefighters. It was started by a group of campers from Alabama who apparently left their campfire unattended. They were later sentenced to work release and probation for igniting the blaze. Authorities say the Sunshine fire, which prompted evacuations near Boulder on Sunday, is believed to be human caused and started in an area known to be inhabited by transients. The cause of the Sunshine fire has not been officially released.

4. Open backyard fires

Backyard fire pits are a real danger when it comes to wildfires. In 2008, the Santa Barbara County sheriff in California said a wildfire that destroyed 210 homes and injured dozens was caused accidentally by a bonfire built by a group of young adults. The 2010 Four Mile Canyon fire near Boulder stemmed from a backyard fire pit, made by a volunteer firefighter to burn debris, that reignited in dry conditions, consuming more than 150 homes. Flying sparks can ignite tinder-dry fuels, so officials encourage people to keep an eye on fire bans and follow them closely.

5. Heat from vehicles, lawnmowers

Conditions have been so dry along the Front Range that a lawnmower was blamed Friday for starting a wildfire in the south Denver area. "This accidental fire is a good reminder of how dry conditions are," South Metro Fire Rescue said on its Twitter feed. The catalytic converter on vehicles can also ignite dry fuels, so be careful where you park when fire conditions are ripe. Vehicles catching fire have also been blamed for a number of wildfires, including one in Douglas County in August 2015 that shut down Interstate 25 and charred about 250 acres.

6. "Controlled" burns

When controlled burns escape, they can become massive wildfires. The March 2012 Lower North Fork fire in Jefferson County was a controlled burn that got out of control and killed three people. A wildfire near Aspen stemmed from a controlled burn Sunday that spread from wind gusts. A wildfire near Kremmling started in September, officials say, after a man burning slash piles lost control of his burn.

7. Burning love letters

It's not the typical way wildfires are started, but it shows just how easy it is to ignite them. The largest and among the costliest wildfires in Colorado history was started, officials say, by a U.S. Forest Service employee who burned a love letter from her estranged husband. The Hayman fire went on to char 137,760 acres in Park, Teller, Jefferson and Douglas counties in 2002. On one day alone, it ran 19 miles.

Wildfires ignite with incredible ease and can spread astonishingly quick, killing civilians and firefighters, and destroying homes, vehicles and everything else in their path. Next time you're thinking about tossing that cigarette butt out the window or leaving those embers in a campfire, think again.

For more information, visit ready.gov/wildfires or the Colorado Division of Fire Prevention and Control's website at colorado.gov/pacific/dfpc.

Evacuees from Boulder's Sunshine fire can return home; blaze now 100 percent contained (Denver Post)

The fire, which authorities believe was human-caused, has cost roughly $500,000 to fight

http://www.denverpost.com/2017/03/20/sunshine-fire-return-home-monday/

By Tom McGhee | tmcghee@denverpost.com | The Denver Post

PUBLISHED: March 20, 2017 at 8:58 am | UPDATED: March 20, 2017 at 7:13 pm

Residents who were evacuated in the path of Boulder's Sunshine fire can return home, fire officials said Monday, and the fire is 100 percent contained.

Residents should have proof of identification with them and enter the area at Boulder Canyon Drive or Sunshine Canyon Road, said Gabi Boerkircher, spokeswoman for the Boulder Office of Emergency Management.

The fire caused 426 people to be evacuated. Fire officials also lifted an order that warned an additional 815 people to be prepared to leave.
The blaze, which began early Sunday and is believed to have been caused by human activity, scorched 74 acres.
A fire line surrounded the fire west of Boulder and consisted of trenches dug by firefighters, roads and areas where slurry was dropped.
So far, it has cost roughly $500,000 to fight the fire. There were 178 firefighters and 50 firetrucks fighting the blaze Monday.
Only one person used the East Boulder Community Center as a shelter overnight Sunday, and one evacuated horse stayed at the Boulder County Fairgrounds overnight.
On Sunday, Cmdr. Mike Wagner said the general area where the fire started, at Sunshine Canyon Road and Timber Trail, has a network of unofficial “social” trails and is known to have “lots of transient campsites.”
Officials were concerned Sunday about gusting winds because the fire was within a mile of downtown.
The Boulder Office of Emergency Management placed more than 1,000 phone calls ordering predawn evacuations. The fire was reported about 1:40 a.m. Sunday.
Eight aircraft dropped water and slurry, said Barb Halpin, a spokeswoman for the office. On Monday, only one helicopter was in use.

Colorado residents return to homes after Boulder wildfire (Reuters)

Hundreds of people forced from their homes by a small wildfire near the University of Colorado in Boulder were allowed to return to their properties on Monday as firefighters made headway in containing the blaze, officials said.

The Sunshine Fire, named after a canyon where it broke out early on Sunday, has scorched 62 acres (25 hectares) of woodland and is 50 percent contained, said Gabi Boerkircher, spokeswoman for the Boulder Office of Emergency Management.

No structures have been damaged and no injuries have been reported, Boerkircher said. Authorities have said the blaze appears to have been caused by human activity.

The fire on Sunday threatened more than 400 homes in the foothills near the university's campus, and residents were ordered to evacuate.

Forecasts had called for high winds, which may have fanned the fire, but the weather instead calmed overnight, allowing firefighters to put out hot spots and flare-ups, officials said.

Authorities lifted evacuation orders on Monday morning, re-opening roads and allowing residents to return. Still, a force of nearly 180 firefighters was battling the blaze on Monday.

Forecasters have issued a "red flag" warning for the area because of warm temperatures and dry conditions. As a result, firefighters were on guard in case the blaze jumps a containment line.

Much of Colorado, Kansas, Oklahoma, New Mexico and Nebraska are in drought conditions ranging from moderate to extreme, the agency said.

Prairie fires stoked by high winds and tinder-dry vegetation in the southern Great Plains killed at least six people and prompted thousands of residents to evacuate early this month.

Exceptionally Dry March Continues, Fire Bans In Place On Colorado's Front Range (CBS TV, Denver)

http://denver.cbslocal.com/2017/03/20/dry-march-continues-fire-bans-in-place-on-colorados-front-range/

March 20, 2017 11:00 AM**DENVER (CBS4)** – So far March 2017 is the driest March on record for Colorado's Front Range, and with the heightened fire danger several county managers have enacted fire restrictions.

There were 200ths of an inch of precipitation recorded on March 11 in Denver, but otherwise the month has been nothing but dry with almost all above normal temperatures.

The following is a list of all the areas with fire restrictions in place, as of Monday:
– Adams County
– Arapahoe County
– Boulder County
– Clear Creek County
– Douglas County
– Elbert County
– Gilpin County
– Jefferson County
– Park County

Check the website coemergency.com for the latest updates on fire bans in Colorado.

Wildfire Resources
– Visit CBSDenver.com's Living With Wildfire section.

More money needed for levee project (Pueblo Chieftain)

BY JON POMPIA | JPOMPIA@CHIEFTAIN.COM

Mar 20, 2017 Updated 16 hrs ago

As the costs to rebuild the Arkansas River Levee to Federal Emergency Management Agency standards continue to rise, the Pueblo Conservancy District will consider a motion Wednesday that could potentially generate more funds for the work.

During a 10:30 a.m. public meeting at the Southeastern Colorado Heritage Center, 201 W. B Street, the conservancy district board will consider a motion that would approve the filing of an

action in district court requesting an increase in the levee upkeep assessment currently being paid by Pueblo County taxpayers. Property owners in the city have been paying this assessment, based on property values, since 2008, and those in the county since 2013. Annually, this assessment generates $1 million. This new assessment would increase, up to 35 percent, the current assessment paid by property owners for levee upkeep.

There are three tiers to this and the proposed assessment. Taxpayers who reside in the county are assessed the least, followed by city residents, with taxpayers within the flood plain zone paying the highest share of the assessment. Conservancy district officials are hoping to raise an additional $350,000 per year countywide, which would be earmarked for completion of the $22 million, multi-phase levee restoration and rebuild. Currently, the annual assessment cost for property owners in the flood plain is $105 per $100,000 of property value; in the city limits, the cost is $9.87; and for those in the county, $6.81. If approved by a district court judge, those assessments would be hiked up to 35 percent in each tier. Per the FEMA mandates, conservancy district officials maintain that the levee must be rebuilt in order for it to be recertified by the federal agency. Failure to obtain this recertification would, ultimately, be more financially painful for property owners in the form of exorbitant flood insurance premiums. "The Arkansas River Levee is the only thing that keeps large areas of Pueblo County from being designated by FEMA to be in a flood plain," a conservancy district spokesperson said Monday.

March heat blows Elk River record out of water (Steamboat Today)

Elk River flows over-heated

http://www.steamboattoday.com/news/2017/mar/20/march-heat-blows-elk-river-record-out-water/

By Tom Ross

Monday, March 20, 2017

Steamboat Springs — The unseasonably warm weather in Routt County triggered record-setting flows March 18 through 20 in the Elk River at its confluence with the Yampa River west of Steamboat Springs, far surpassing the prior record for the date and causing a federal hydrologist who keeps a close watch on this portion of the Colorado River system to describe them as "shocking."

"It's crazy how high the flows are for this time of year," Ashley Nielson, a senior hydrologist with the Colorado Basin River Forecast Center in Salt Lake City Utah, said. "I think we're getting snowmelt at low and middle elevation and not at the higher elevations. But this is not something we expect this time of year."

The Elk is still well below flood stage, but the acceleration of snowmelt during a time when snowpack is typically increasing stands out from the norm.

Flows in the river, which has its headwaters in the Mount Zirkel Wilderness Area northeast of Clark, hit a 24-hour peak of 1,050 cubic feet per second at 1:45 a.m. March 20, nearly doubling the previous record for the date, according to the U.S. Geological Survey. The previous record was 524 cfs, recorded in 2007. The median March 20 flow is 160 cfs.

At the same time, the Yampa River was flowing through downtown Steamboat Springs at a rate of 408 cfs, well above the median of 150 cfs (in the 90th percentile range for the date), but significantly lower than the 1916 record for the date of 690 cfs.

High flows in the Elk have been driven by snow melting under bright skies and daytime temperatures in the 60s, which have dominated the weather throughout the month. The National Weather Service reports the high temperature in Steamboat reached 70 degrees March 19, but a cooling trend is on the way.

The Elk had calmed down to 896 cfs as of 9:30 a.m. Monday as it went through its diurnal cycle of rising and falling flow volumes. However, the River Forecast Center foresees the river will continue to rise to more than 1,000 cfs through March 23, when a cooling trend calms things down March 25 through 31 and the river could remain above 600 cfs.

A pair of snowpack measurement sites operated by the Natural Resources Conservation Service confirm the record flows in the Elk are attributable to snowmelt above 9,000 feet, Nielson agreed.

The Lost Dog site, at 9,320 feet of elevation on the edge of the Zirkel Wilderness, has lost 3 inches of snow water equivalent since March 16, leaving it at 113 percent of median for the date. The Elk River measuring site, at 8,700 feet, has also lost 3 inches of snow water equivalent in the same timeframe, and snowpack there stands at 93 percent of median.

Nielson pointed to the Tower measuring site on the summit of Buffalo Pass northeast of Steamboat Springs as evidence that snowmelt has not begun at the highest elevations in the Park Range. The water content of the snowpack there, at 10,500 feet, has not changed more than a fraction of an inch since March 7.

To reach Tom Ross, call 970-871-4205, email tross@SteamboatToday.com or follow him on Twitter @ThomasSRoss1

MONTANA:

Northeastern Montana flooding closes roads, threatens property and sets record (Billings Gazette)

By JORDON NIEDERMEIER Billings Gazette

Warm weather brought flooding to northeastern Montana over the weekend and at least one waterway reached record depths.

Big Muddy Creek near Antelope peaked at 17.84 feet Monday morning. That depth is more than five feet above the flood stage of 12 feet and represents a new flood standard. The stream's previous record flood depth was 17.37 feet, set on April 14, 1982, said Tanja Fransen, meteorologist at the National Weather Service's Glasgow station.

Before the weekend flooding, Big Muddy Creek was between 5 and 7 feet deep. The Poplar River also flooded in Roosevelt County, covering some roads with water. It rose from about 3.5 feet to a peak of roughly 15.5 feet around noon on Saturday.

"I always say no two floods are the same, and this has proven me correct," Fransen said.

She said the flooding was caused by a combination of factors. A previous thaw in February resulted in heavy slush on the waterways, and a subsequent cold snap created a thicker layer of ice than the one that preceded the warm-up. Culverts were filled with heavy ice and slush.

The problem was compounded by the high level of soil saturation ahead of the winter. Now that it's thawing out, the ground is not absorbing runoff.

Ice on the Poplar River also began breaking up with the recent warm weather. An ice jam formed near Poplar where the river feeds the Missouri River because the latter waterway is still frozen. Fransen said flooding was reported on several major roadways, including Highway 2 in Roosevelt and Valley County, Highway 248 and Highway 13 north of Wolf Point. Conditions improved on the state highways over the weekend but have deteriorated on secondary roads.

"We're not totally out of the woods yet, but we should start with some improvement in the next 24 hours," Fransen said.

Bainville, which sits in a large flat valley formed by an ancient river bed, was surrounded by water over the weekend as runoff made its way to the nearby Missouri River, said Dennis Portra, the town's mayor.

Portra said the flooding closed roads on the edges of town. Water approached homes as it rose and multiple temporary dikes were constructed to prevent property damage. In one case, high

water prevented a family from accessing their home over the weekend. However, the house wasn't threatened by water.

"Things have gone pretty well," Portra said. "We have a tremendous amount of water, but I think we're going to come out all right."

Floodwaters wipe out popular Jerry Johnson hot springs pool (Missoulian)

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Usually large enough to accommodate at least a dozen soakers, the main pool at Jerry Johnson hot springs in Idaho has been reduced by floodwaters to a shallow depression just big enough for one or two people.

LOLO PASS, Idaho – Sometime in the last week, perhaps as recently as Saturday, floodwaters washed away the main soaking pool at the popular Jerry Johnson hot springs in Idaho.

Located a short hike from Highway 12 just over the border from Montana, the hot springs are visited by hundreds of people each week.

On Sunday, several dozen visitors seem surprised to find the pool had been obliterated. There are several pools in the area, but the main pool bore the brunt of the flooding.

Usually big enough to easily hold at least 12 people, it had been wiped away. Someone had apparently clawed away enough mud and sand to make a shallow depression big enough for two people in lukewarm water.

An upper pool was still usable on Sunday, but the floodwaters appeared to have altered the springs to make the water much cooler than normal. A group of soakers huddled toward one side of the pool to keep warm. A large stream had carved out a new channel in the mud in the area.

According to the U.S. Natural Resources Conservation Services, the Lolo Pass area received 3.5 inches of rainfall between March 13 and March 20. By comparison, the Missoula Valley averages about 14 inches of rainfall in a typical year.

According to the U.S. Geological Service, the Lochsa River experienced a rapid influx of water from March 13 until March 16. Data shows that the Lochsa was running at about 4,500 cubic feet per second on March 13 then hit nearly 20,000 cubic feet per second on March 17. It was still running at about 12,000 cfs on Sunday.

The hot springs are managed as a recreation site by the Nez Perce-Clearwater National Forests in Idaho. Margaret Riley at the Powell Ranger Station said that her office hadn't received any reports of the damage as of Monday afternoon, indicating that the event occurred fairly recently.

Riley said she didn't know the process for repairing the pool and needed to speak with more of her colleagues. In the past, the pools have been dug out and modified slightly on an ad-hoc basis by volunteers.

NORTH DAKOTA:

Now is the time to consider flood insurance, North Dakota commissioner warns (Forum News Service/Bismarck Tribune)

April Baumgarten Forum News Service (Bismarck Tribune)

North Dakota's insurance commissioner is encouraging residents who face major flooding to be prepared.

The warning from Commissioner Jon Godfread comes ahead of spring flooding, with parts of northeast North Dakota, especially near Grafton, Devils Lake and in Cavalier and Pembina counties, having the highest potential for flooding in the U.S., according to the National Weather Service. Devils Lake is expected to rise 3 to 4 feet, putting nearly 40,000 acres of land at risk.

Grafton will likely see major flooding and has a 25 percent chance of seeing a record-setting flood. The Park River in Grafton had a record crest of 16.16 feet in May 2013.

The major flood stage for the river begins at 14.5 feet, which the river should surpass later this spring. It's possible the river could rise as high as 19.7 feet.

Devils Lake, which is expected to see record runoff, could begin to rapidly rise from April into May, averaging a half-foot or more per week before it peaks, possibly above the June 2011 record elevation of 1,454.3 feet, according to the weather service.

The flood risk reduces to the south along the Red River, as there is little to no snow left south of Grand Forks.

Godfread warned residents in a news release that traditional homeowners insurance does not cover flood damage. When residents sign up for flood insurance, it takes 30 days to kick in, Godfread said in the release.

"I urge all North Dakotans to take the time to learn about how they can better protect themselves and their property from the destruction brought on by a flood," he said, adding it is "a critical time of year for consumers to talk to their insurance agent about their policy's limits and what other coverage options they have."

Flood insurance is available to homeowners, renters and businesses through the National Flood Insurance Program, which is managed by the Federal Emergency Management Administration.

The weather service may release an updated flood outlook on Friday.

Flood insurance: To buy or not to buy? (WDAZ-TV, Grand Forks)

http://www.wdaz.com/news/north-dakota/4237658-flood-insurance-buy-or-not-buy

By Jon Tweet on Mar 20, 2017 at 5:06 p.m.

GRAND FORKS, ND (WDAZ-TV) - Fighting a flood before it starts.

The North Dakota Insurance Commissioner wants you to buy flood insurance, but there are some important things to know.

A local agent reminds us National Flood Insurance only kicks in if FEMA determines your area flooded. The price is determined by the flood zone you are in.

Flood insurance doesn't cover water pump failure or other non-flood related water damage to your home.

The agent says the most important thing to know ahead of flood season, is that if you think you need it, you don't need to wait.

"The big thing with flood insurance though that I would always caution people on is 'don't wait too long' because flood policies don't take effect for 30 days after application," said Randy Fenley of State Farm Insurance. "So this is kind of getting to be one of those times where you either need to pull the trigger or take your chance on what the spring's going to be like."

Company: Dakota Access pipeline on track, despite "threats" (Bismarck Tribune)

Mar 20, 2017 Updated 11 hrs ago (AP story in Bismarck Tribune)
BISMARCK, N.D. (AP) — The company building the Dakota Access pipeline said Monday that the project remains on track to start moving oil this week despite recent "coordinated physical attacks" along the line.

The brief court filing late Monday from Dallas-based Energy Transfer Partners didn't detail the attacks, but said they "pose threats to life, physical safety and the environment."

The filing cited those threats for redacting much of the rest of the 2½-page report, but ended: "These coordinated attacks will not stop line-fill operations. With that in mind, the company now believes that oil may flow sometime this week."

A spokeswoman for the company declined to elaborate on the types of attacks. A spokesman for the Morton County sheriff's office, the center of months of sometimes violent conflicts between protesters and law enforcement, didn't immediately respond to an email.

The Standing Rock and Cheyenne River Sioux tribes have battled the $3.8 billion pipeline in court for months, arguing it's a threat to water and their right to practice their religion.

The company has maintained the pipeline, which will move oil from North Dakota's Bakken oil field more than 1,000 miles across four states to a shipping point in Illinois, will be safe.

An appeals court on Saturday refused a request from the tribes for an emergency order to prevent oil from flowing through the pipeline.

The tribes have challenged an earlier ruling by U.S. District Judge James Boasberg not to stop final construction of the pipeline, and they wanted the appeals court to halt any oil flow until that's resolved.

The appeals court said the tribes hadn't met "the stringent requirements" for such an order.

The tribes had asked Boasberg to direct the Army Corps of Engineers to withdraw permission for Energy Transfer Partners to lay pipe under Lake Oahe in North Dakota, which the Corps manages for the U.S. government. The stretch under the Missouri River reservoir is the last piece of construction for the pipeline.

The company is wrapping up pipe work under the lake and had said oil could start flowing between Monday and Wednesday.

The tribes' appeal rests on the religion argument. Boasberg has said he doesn't think the tribes have a strong case on appeal. He also said ETP would be "substantially harmed" by a delay in pipeline operations.

Environment activists deny attacking Dakota Access pipeline (AP, Bismarck Tribune)

Mar 21, 2017 (AP story in the Bismarck Tribune)
BISMARCK, N.D. (AP) — Environmental activists who tried to disrupt some oil pipeline operations in four states to protest the Dakota Access pipeline say they aren't responsible for any recent attacks on that pipeline.

Dakota Access developer Energy Transfer Partners said in court documents Monday that there have been "coordinated physical attacks" along the $3.8 billion pipeline that will carry oil from North Dakota to Illinois. Company officials haven't responded to AP requests for more details.

Jay O'Hara with the Climate Disobedience Center told The Associated Press Tuesday that Climate Direct Action wasn't involved, and he isn't aware of anyone claiming responsibility.

In October, Climate Direct Action activists tried to shut valves on oil pipelines in North Dakota, Minnesota, Montana and Washington. But O'Hara says the group has no plans to target Dakota Access.

SOUTH DAKOTA:

DUNE project in Lead would be among most sophisticated projects ever (Rapid City Journal)

Tom Griffith Journal staff (Rapid City Journal)
Mar 19, 2017
LEAD | Carve a few massive caverns nearly a mile below the surface of the Black Hills, haul off hundreds of thousands of tons of crushed rock, add the largest refrigeration system ever, then install the most sensitive particle detectors known to man, and you'd be ready to host what is arguably the most sophisticated science experiment ever staged on the planet.

That's exactly what the Sanford Underground Research Facility and the Fermi National Accelerator Laboratory are planning with the billion-dollar Deep Underground Neutrino Experiment.

"This is the first time an experiment of this scale has occurred anywhere in the world, and it's going to be done right here," Fermilab Deputy Project Manager Joshua Willhite told 100 Northern Hills residents during an informational meeting in Lead on Monday night.

The Deep Underground Neutrino Experiment, commonly referred to as DUNE, represents a scene straight out of a science fiction movie. As envisioned, scientists at the Fermilab near Chicago will fire a beam of tiny neutrinos at near-light speed that will carry the subatomic particles through solid rock 808 miles away to the Black Hills of South Dakota, where scientists deep underground at the Sanford Lab hope to "catch" the particles using sophisticated detectors.

The groundbreaking particle physics experiment currently has 960 collaborators from 163 institutions in 31 nations, Willhite said Monday. Sixty percent of those scientists are based outside the U.S., and that number is expected to grow, he noted.

"This has broad international support," Willhite said.

Cutting-edge science

On its own, the $300-plus million investment for the experiment at the Sanford Lab in Lead represents the largest single project in the history of South Dakota, says Sanford Lab Director Mike Headley.

More important to scientists working around the world to unravel the mysteries of the universe, the experiment has the potential to advance scientific knowledge and yield technological advancements on a par with the race to the moon in the 1960s, project advocates contend.

"DUNE collaborators hope to learn the role neutrinos play in the evolution of the universe; better understand how supernovae produce the heavy elements— iron, calcium, carbon and others — that are necessary for life; how much mass the neutrino has; and why the universe consists of matter rather than antimatter," the Lab's Communications Director Constance Walter said Thursday. "Any, or all, of these discoveries will transform our understanding of the universe and advance physics to a whole new level."

Neutrino research is a competitive field, with several different experiments around the globe looking for the same things DUNE hopes to discover, Walter explained. The DUNE team of scientists and engineers is developing cutting-edge technology on a scale much larger than anything that has been developed for neutrino experiments, she said.

"In its space race with the Soviet Union, NASA discovered new technologies and gained incredible knowledge, which eventually landed American astronauts on the moon," Walter added. "With the development of new and the enhancement of existing technologies for DUNE and the Long-Baseline Neutrino Facility, we could see much the same thing in physics research."

Closer to home, the federally financed experiment could have economic benefits unparalleled in South Dakota history, according to study findings presented at Monday's 70-minute presentation. Those "credible and conservative" estimates of the local economic impacts of the projected construction and operations of Long-Baseline Neutrino Facility and DUNE in South Dakota and Illinois took into account capital projects and direct spending, as well as additional business activity, jobs and payroll supported by that spending from 2016 through 2026.

During that period, the economic impact of LBNF/DUNE in the western South Dakota region will total $860 million in output and $330 million in earnings for local residents, according to the April 2016 study. The employment prospects for local residents will peak at more than 1,800 jobs in 2020, the study reported.

The total fiscal impact of LBNF/DUNE for the state of South Dakota is projected at $10.6 million in tax revenue from 2016 to 2026, peaking at $2.5 million in annual revenue in 2020, the study concluded.

Meanwhile, the study found the economic impact of LBNF/DUNE on the Chicago region would total $1.1 billion in output and $570 million in earnings for local residents. The impact on jobs for Illinois would peak at nearly 2,000 in 2024. The total fiscal impact for the state of Illinois would be $21 million in tax revenue from 2016 to 2026, peaking at $2.7 million in annual revenue in 2024, according to the study.

“This will be one of the largest science mega-projects ever to occur on U.S. soil,” Headley said Monday night. While already hosting several major underground experiments and an underground campus for students at Black Hills State University in Spearfish, Sanford Lab’s 163 current employees are gearing up for the new experiment, he and Willhite noted.

UTAH:

No FEMA-related stories

WYOMING:

As Snowpack Melts, Flooding Could Become Major Problem (Wyoming Public Radio)

By CAROLINE BALLARD • 44 MINUTES AGO

Wyoming has already seen ice jam flooding this winter on the Bighorn River, and flood watches and warnings have been issued for communities around the Western Mountains in the last few weeks. With sustained warm temperatures and high snowpack, flooding could continue to be a problem this spring.

Diana Herrera is the senior flood insurance specialist with FEMA Region 8, which encompasses the Rocky Mountain West. She said people should be aware of their risk for flooding, and that there are a number of things that can reduce that risk.

“You can use sandbags. You can make yourself a temporary levee with Visqueen and plywood and sand to help give you a little barrier around the house. So there are a number of

opportunities you can use to help reduce the risk for flooding. Right now we just don't know what it's going to do," said Herrera.

And if Herrera said purchasing flood insurance, which is sold separately from homeowners or renters insurance, could take a while.

"There's also a thirty day wait period in order to buy flood insurance. So if you see the water coming down the creek you're too late. So talk to your insurance agent, get a quote, get your policy in place before the rest of that snow pack comes down," said Herrera.

Herrera said it's difficult to predict what will happen with the snowpack, but that it could be similar to 2011 when the state saw extensive flooding. To find your flood zone risk, visit www.floodfind.com.

Landslide Crumbles Highway 89 (Jackson Hole News and Guide)

March 20, 2017

Commuters driving to Jackson from Star Valley this morning should expect delays due to a landslide that is fracturing a stretch of U.S. 89/26.

Wyoming Department of Transportation officials were able to reopen a deteriorating stretch of Snake River Canyon on Saturday afternoon by creating a temporary lane, allowing two-way traffic to flow at a reduced speed around damage caused by the landslide.

"Two-way traffic is flowing, so I guess we're OK," WYDOT Maintenance Foreman Bruce Daigle said Sunday. "Our lane we built is working out well."

The 100-foot stretch of highway that's cracking is just a few miles south of Hoback Junction and has been expanding since Friday when it was discovered. Fissures in the ground were up to 4 inches wide and 2 feet deep.

The Snake River Canyon was closed from 8 p.m. Friday until about 3 p.m. Saturday while crews from Jackson, Pinedale and Afton built the temporary lane.

That delayed many drivers, including D.J. Olsen, who had to sleep in his U-Haul at a nearby turnout.

"It's been one crazy time for me," Olsen said. "I broke my phone as I was moving so I had to go back to my dumb phone. I don't have service so I can't watch any Netflix or anything so I'm just sitting here enjoying the view."

Olsen was on the last stretch of his move from Casper to Blackfoot, Idaho, when he was stopped by the road closure around midnight Friday, where he was stuck for almost 15 hours.

"I can't go over Teton Pass because I have a trailer," Olsen said. "I went and got doughnuts and a hot beverage."

The new lane that allowed the road to reopen was made by filling the drainage ditch with dirt and laying down two types of geogrid, which is used to reinforce soils. Gravel was placed on top, smoothed and then covered with a road base. The new lane will have to be maintained every few days because of the heavy traffic expected through Snake River Canyon, Daigle said.

The landslide is being called the Twin Pine Slide because of two big pine trees that stand nearby.

"This spot has had a dip in it for years," Daigle said. "But this year's storm events I think has really pushed this along."

The road is crumbling between two retaining walls, in the space where a deer jump was put. It's a steep hillside down to the Snake River, and the extreme moisture this year has caused the earth to soften and move.

"I think with the moisture this year it finally got wet enough that it's going downhill," WYDOT geologist Kirk Hood said. "Gravity works."

The movement is a textbook landslide.

"With all the moisture in the ground, the dirt just lost sheer strength and it's just failing and sliding toward the Snake," Hood said. "It's a true landslide."

Drivers should expect frequent closures and delays while crews continue to monitor the landslide, Daigle said.

Early Wildfire In Tongue River Canyon Investigated (Associated Press)

March 20, 2017

SHERIDAN, Wyo. (AP) — Bighorn National Forest officials are investigating an early-season wildfire in the Tongue River Canyon west of Sheridan.

They say the fire was human-caused.

A hiker reported the fire on a dry, south-facing slope Sunday afternoon. The fire burned about 30 acres of timber and grass but firefighters got the flames under control.

They're expecting rain in the area Monday and Tuesday.

Forest officials urge campers to be careful with campfires.

FEMA-RELATED STORIES:

Trump's cut to flood map program could trigger insurance rate hikes: group (Reuters)

By Suzanne Barlyn

A proposal by the Trump administration to cut $190 million in funding for updating U.S. maps of flood-prone areas would trigger higher insurance rates or more homebuilding in risky locations, a consumer group said on Monday.

Flood-mapping provides important details about where it is safe to build, whether flood insurance is needed and how to price coverage, Robert Hunter, director of insurance for the Consumer Federation of America, said in a statement.

Slashing funding for the National Flood Insurance Program's (NFIP) retooling of U.S. flood maps will lead to relying on old maps and construction in areas that are now flood prone, or hiking insurance premiums to pay for new maps, Hunter said.

The White House 2018 budget, unveiled last Thursday, would eliminate a $190 million "discretionary appropriation" for the National Flood Insurance Program's (NFIP) updating of U.S. flood maps and "explore other more effective and fair means of funding flood mapping efforts."

Costs for mapping have been shared by insurance policyholders and the federal government for the past 15 years, said a spokeswoman for the Federal Emergency Management (FEMA), which operates the flood insurance program.

"The president's budget directs us to explore avenues to shift these costs away from general appropriations," the FEMA spokeswoman said.
Updating U.S. flood maps is seen by consumer and insurance industry advocates as a necessary step toward modernizing the U.S. flood insurance market.
The White House 2018 budget is the first step in a long process that will be debated by U.S. lawmakers.
The NFIP, whose authorization is set to expire in September, could face other sweeping changes.
The program is $24.6 billion in debt to the U.S. Treasury Department, the FEMA spokeswoman said.
Insurance industry groups are also concerned about the mapping proposal. "Understandably, we're all concerned about the potential to undermine efforts to modernize the maps," said Leigh Ann Pusey, president and chief executive officer of the American Insurance Association.
Still, the budget process is at an early stage, Pusey said.

U.S. Sees Furious Start To The Wildfire Season (USA Today)

By Doyle Rice
March 20, 2017

Wildfires have charred a whopping 2 million acres across the U.S. so far this year, an area larger than the state of Delaware.

It's a gigantic number for so early in the season, roughly 10 times the average and also the most acres burned as of mid-March since 2006, according to spokeswoman Jessica Gardetto of the National Interagency Fire Center in Boise, Idaho.

Many of the blazes have been massive grass fires in Oklahoma and Kansas, which have both set records for number of acres burned in March, Gardetto said.

An Oklahoma truck driver died two weeks ago in Clark County, Kan., due to smoke inhalation from a fire, the Kansas state fire marshal's office reported. There have also been at least seven fire-related injuries, two of whom were first responders.

In Kansas, most fires are started by "controlled" or planned fires that either rekindled or spread out of control, according to Kevin Doel, a spokesman with the Kansas State Fire Marshal's office. (However, the causes of this year's blazes have yet to be determined.)

So far this year, approximately 650,000 acres have burned, Doel said, though that number may change as the fire data are further analyzed.

In parched Oklahoma, drought conditions now encompass three-quarters of the state, the U.S. Drought Monitor said. Oklahoma City has received a paltry 0.01 of an inch of rain so far this month, the National Weather Service said, which is less than 1% of the city's typical March precipitation.

Ongoing warm, dry, breezy weather will bring ideal conditions for fires to spread in Oklahoma on several days this week, the weather service predicted.

Along with drawing hot, dry air out of Mexico, strong south to southwest winds will increase the wildfire threat across the region this week by quickly spreading any small fires that break out over the southern and central High Plains, AccuWeather said.

"The wildfire danger will ramp up on Wednesday with the worst conditions likely on Thursday," according to AccuWeather meteorologist Brett Anderson.

Farther west, the Sunshine Fire, which forced hundreds of people from their homes in Colorado on Sunday, was due in part to tinder-dry conditions there. While March is typically Colorado's snowiest month of the year, "one of the firefighters said it feels like June up there,"

Boulder County Sheriff's Cmdr. Mike Wagner said, when referring to the fire zone. "There is no moisture," he said.

Wagner called the dry conditions "concerning" and said they could contribute to a major fire season this summer. "June is a more typical fire season, hotter and drier," he said. "But around here it seems that fire season goes all year long."

Man-made climate change has been cited as a cause of the lengthening wildfire season in the West, several scientific studies have shown, and has increased the likelihood of extreme fires there.

Region VIII Clips
Tuesday, March 21, 2017

ANALYSIS

- *Colorado:* Cooler weather in the state may start Tuesday, with moisture in the Denver metro area starting Thursday, reducing fire danger… The *Denver Post* ran a story on preventing human-caused fires… Evacuees from the Sunshine Fire have been allowed to return home. Reuters also had a story on evacuees returning (and it was mentioned on CBS News). ... The record dry March has prompted fire bans… Costs to rebuild the Arkansas River Levee in Pueblo "to FEMA standards" continue to rise, prompting a tax increase… The warm weather has led to record March flows on the Elk River.
- *Montana:* The *Billings Gazette* reported on localized flooding in northeastern Montana. The situation was expected to improve… Lolo Pass hot springs has been lost to floodwaters.
- *North Dakota:* State Insurance Commissioner Jon Godfread urges residents to get flood insurance now. The story notes that NE North Dakota currently faces the highest flood threat of anywhere in the U.S.…. WDAZ TV also cited the insurance commissioner's call, but used a local insurance agent for more comment… The company building the Dakota Access Pipeline says oil will begin flowing between Monday and Wednesday this week despite "coordinated physical attacks" on the line. No more details were given about the attacks. One group of activist opponents to the pipeline denied any involvement in the attacks.
- *South Dakota:* … A massive experiment planned to capture neutrinos could result in the largest project ever built in the state – largely underground in Lead.
- *Utah:* No FEMA-related stories
- *Wyoming:* A story by Wyoming Public Radio on potential flooding includes comments from FEMA NFIP specialist Diana Herrera. … A landslide temporarily closed a section of Hwy. 89 in the Snake River Canyon… There was a wildfire in the Tongue River Canyon.
- *Other FEMA-related stories:* Reuters carried a story on the proposed cuts to the NFIP mapping budget… *USA Today* ran a story on the extraordinary record of wildfires already this year.

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Flood insurance: To buy or not to buy? (WDAZ-TV, Grand Forks)

Company: Dakota Access pipeline on track, despite "threats" (Bismarck Tribune)

Environment activists deny attacking Dakota Access pipeline (AP, Bismarck Tribune)

SOUTH DAKOTA:

DUNE project in Lead would be among most sophisticated projects ever (Rapid City Journal)

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FEMA-RELATED STORIES
You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

Trump's cut to flood map program could trigger insurance rate hikes: group (Reuters)

U.S. Sees Furious Start To The Wildfire Season (USA Today)

STORIES

COLORADO:

Don’t put away your snow shovel just yet, Denver (Denver Post)

Wet, cooler weather in the Front Range forecast; could dampen fire dangers

By Kieran Nicholson | knicholson@denverpost.com | The Denver Post
PUBLISHED: March 20, 2017 at 5:37 pm | UPDATED: March 21, 2017 at 7:38 am

Don’t put your snow shovel away just yet, Denver.

After weeks of dry and sometimes unseasonably warm weather, including record-setting high temperatures, much-needed moisture is in the forecast for northeastern Colorado, with a chance of rain in Denver starting Thursday afternoon and possibly changing to snow overnight.

March is typically Denver’s snowiest month, but the city has seen just a trace of snow so far this month.

"It would definitely be a big help," said Jim Kalina, a meteorologist with the National Weather Service, of the cool, wet forecast. "It would be a big boost this time of year."

A high pressure ridge locked over Colorado is weakening, which will allow moisture and cooler weather to flow into the state starting Tuesday in the mountains, where there will be a chance of rain and snow, with the snow line at about 10,000-feet in elevation, according to the weather service. Snow accumulations in the mountains on Tuesday, however, should be "minor."

Also on Tuesday, there's a slight chance of rain showers over the eastern plains.

On Wednesday, warm, dry and breezy conditions in northeastern Colorado will once again elevate fire dangers in the foothills and on the plains, the weather service reports.

Relief for severely parched northeastern Colorado comes into play Thursday into Friday as a storm system tracks slowly across the state.

"We are looking right now for Thursday night into Friday, we have a good chance of some rain and maybe even a little bit of snow mixed into that," for the Denver forecast, Kalina said. Denver could see between one-quarter inch up to 1-inch of moisture from the upcoming storm system.

"Depending on the track of the storm, we have the potential to get some good moisture with this," Kalina said.

Some mountain areas along with the higher foothills could see several inches of snow as moderate to heavy rains fall across the plains. At lower elevations, areas south of Denver to the Palmer Divide could see heavier amounts.

Dry and warmer weather should return to northeastern Colorado on Saturday, but a few more waves of moisture could be developing for Sunday and Monday night into next Tuesday.

"We're in a pattern where we may see a few more storm systems coming across," Kalina said. "I don't see much of a problem with that."

It's already dangerously dry in Colorado. Here are 7 ways humans caused wildfires without meaning to. (Denver Post)

From cigarette butts to a flaming love letter, wildfires can easily ignite in Colorado

http://www.denverpost.com/2017/03/20/dry-weather-colorado-human-caused-wildfires/ - good video as part of this story

By Jesse Paul | jpaul@denverpost.com | The Denver Post
PUBLISHED: March 20, 2017 at 1:58 pm | UPDATED: March 20, 2017 at 4:36 pm

The past few months have been among the warmest and driest on record and in recent memory, leaving tinder-dry conditions in Colorado ripe for fast-moving and large wildfires.

As of Monday, the National Weather Service in Boulder had issued 17 red-flag warnings for fire danger since Jan. 1 — 11 of them in the first 20 days of March alone.

"March is one of our snowiest months, normally, with about an average of 11.2 inches of snow in Denver," said Natalie Sullivan, a meteorologist with the weather service's office in Boulder. "We haven't received any snow this month. We are definitely having warm, dry conditions and wind as well."

While the danger of wildfires exists year round in Colorado, officials say the public needs to be more aware than ever during this dry spell. Fire bans have been enacted across the Front Range.

"If there is a red flag warning out nobody should be open burning or throwing cigarette butts out the window," Sullivan said. "The brush and the fuels are dry and ready to burn. If you give them any ignition, then the wind will allow the fire to spread very quickly."

State fire officials worry that because it's so early into the year, some people aren't following the basic Colorado fire prevention rules.

"We do really believe that people need to be a lot more cognizant of what they're doing," said Caley Fisher, spokeswoman for the Colorado Division of Fire Prevention and Control. "Wildfires are a serious threat to life and property, especially right now."

She added: "One tiny little spark can create a huge flame and engulf an entire region."

Here are some ways people have ignited wildfires in Colorado:

1. Target shooting

Recreational shooters have started a number of wildfires across Colorado. Heat from bullets is more than enough to ignite dry fuels, especially grasses and brush. In February, the Rabbit Mountain fire near Hygiene was started by target shooters who were aiming at steel plates. A fragment from one of their rounds ignited nearby grasses and charred 151 acres, prompting dozens of evacuations and consuming a barn and several outbuildings. On Sunday, officials say a shooter triggered a more than 50-acre wildfire between Lochbuie and Brighton that could be seen for miles.

2. Cigarettes

Authorities say cigarettes are one of the most common causes of wildfires, prompting roadside blazes that have consumed large areas. A cigarette butt tossed from a passing car was blamed for starting a 150-acre wildfire in Fort Collins last month. Three firefighters died battling the 2002 Big Elk fire west of Lyons, which is believed to have been ignited by a cigarette and burned

thousands of acres. The 1989 Black Tiger fire in Boulder Canyon, also started by a cigarette, burned more than 2,000 acres, destroying 40 homes and causing roughly $10 million in damage.

3. Campfires and stoves

The May 2012 Hewlett fire northwest of Fort Collins raced from a backpacking-style cookstove and consumed 7,600 acres. July 2016 Cold Springs fire near Nederland burned a relatively small area — only about 500 acres — but destroyed eight homes, including one belonging to two local firefighters. It was started by a group of campers from Alabama who apparently left their campfire unattended. They were later sentenced to work release and probation for igniting the blaze. Authorities say the Sunshine fire, which prompted evacuations near Boulder on Sunday, is believed to be human caused and started in an area known to be inhabited by transients. The cause of the Sunshine fire has not been officially released.

4. Open backyard fires

Backyard fire pits are a real danger when it comes to wildfires. In 2008, the Santa Barbara County sheriff in California said a wildfire that destroyed 210 homes and injured dozens was caused accidentally by a bonfire built by a group of young adults. The 2010 Four Mile Canyon fire near Boulder stemmed from a backyard fire pit, made by a volunteer firefighter to burn debris, that reignited in dry conditions, consuming more than 150 homes. Flying sparks can ignite tinder-dry fuels, so officials encourage people to keep an eye on fire bans and follow them closely.

5. Heat from vehicles, lawnmowers

Conditions have been so dry along the Front Range that a lawnmower was blamed Friday for starting a wildfire in the south Denver area. “This accidental fire is a good reminder of how dry conditions are,” South Metro Fire Rescue said on its Twitter feed. The catalytic converter on vehicles can also ignite dry fuels, so be careful where you park when fire conditions are ripe. Vehicles catching fire have also been blamed for a number of wildfires, including one in Douglas County in August 2015 that shut down Interstate 25 and charred about 250 acres.

6. “Controlled” burns

When controlled burns escape, they can become massive wildfires. The March 2012 Lower North Fork fire in Jefferson County was a controlled burn that got out of control and killed three people. A wildfire near Aspen stemmed from a controlled burn Sunday that spread from wind gusts. A wildfire near Kremmling started in September, officials say, after a man burning slash piles lost control of his burn.

7. Burning love letters

It’s not the typical way wildfires are started, but it shows just how easy it is to ignite them. The largest and among the costliest wildfires in Colorado history was started, officials say, by a U.S. Forest Service employee who burned a love letter from her estranged husband. The Hayman fire

went on to char 137,760 acres in Park, Teller, Jefferson and Douglas counties in 2002. On one day alone, it ran 19 miles.

Wildfires ignite with incredible ease and can spread astonishingly quick, killing civilians and firefighters, and destroying homes, vehicles and everything else in their path. Next time you're thinking about tossing that cigarette butt out the window or leaving those embers in a campfire, think again.

For more information, visit ready.gov/wildfires or the Colorado Division of Fire Prevention and Control's website at colorado.gov/pacific/dfpc.

Evacuees from Boulder's Sunshine fire can return home; blaze now 100 percent contained (Denver Post)

The fire, which authorities believe was human-caused, has cost roughly $500,000 to fight

http://www.denverpost.com/2017/03/20/sunshine-fire-return-home-monday/
By Tom McGhee | tmcghee@denverpost.com | The Denver Post
PUBLISHED: March 20, 2017 at 8:58 am | UPDATED: March 20, 2017 at 7:13 pm

Residents who were evacuated in the path of Boulder's Sunshine fire can return home, fire officials said Monday, and the fire is 100 percent contained.

Residents should have proof of identification with them and enter the area at Boulder Canyon Drive or Sunshine Canyon Road, said Gabi Boerkircher, spokeswoman for the Boulder Office of Emergency Management.

The fire caused 426 people to be evacuated. Fire officials also lifted an order that warned an additional 815 people to be prepared to leave.

The blaze, which began early Sunday and is believed to have been caused by human activity, scorched 74 acres.

A fire line surrounded the fire west of Boulder and consisted of trenches dug by firefighters, roads and areas where slurry was dropped.

So far, it has cost roughly $500,000 to fight the fire. There were 178 firefighters and 50 firetrucks fighting the blaze Monday.

Only one person used the East Boulder Community Center as a shelter overnight Sunday, and one evacuated horse stayed at the Boulder County Fairgrounds overnight.

On Sunday, Cmdr. Mike Wagner said the general area where the fire started, at Sunshine Canyon Road and Timber Trail, has a network of unofficial "social" trails and is known to have "lots of transient campsites."

Officials were concerned Sunday about gusting winds because the fire was within a mile of downtown.

The Boulder Office of Emergency Management placed more than 1,000 phone calls ordering predawn evacuations. The fire was reported about 1:40 a.m. Sunday.

Eight aircraft dropped water and slurry, said Barb Halpin, a spokeswoman for the office. On Monday, only one helicopter was in use.

Colorado residents return to homes after Boulder wildfire (Reuters)

Hundreds of people forced from their homes by a small wildfire near the University of Colorado in Boulder were allowed to return to their properties on Monday as firefighters made headway in containing the blaze, officials said.

The Sunshine Fire, named after a canyon where it broke out early on Sunday, has scorched 62 acres (25 hectares) of woodland and is 50 percent contained, said Gabi Boerkircher, spokeswoman for the Boulder Office of Emergency Management.

No structures have been damaged and no injuries have been reported, Boerkircher said. Authorities have said the blaze appears to have been caused by human activity.

The fire on Sunday threatened more than 400 homes in the foothills near the university's campus, and residents were ordered to evacuate.

Forecasts had called for high winds, which may have fanned the fire, but the weather instead calmed overnight, allowing firefighters to put out hot spots and flare-ups, officials said.

Authorities lifted evacuation orders on Monday morning, re-opening roads and allowing residents to return. Still, a force of nearly 180 firefighters was battling the blaze on Monday.

Forecasters have issued a "red flag" warning for the area because of warm temperatures and dry conditions. As a result, firefighters were on guard in case the blaze jumps a containment line.

Much of Colorado, Kansas, Oklahoma, New Mexico and Nebraska are in drought conditions ranging from moderate to extreme, the agency said.

Prairie fires stoked by high winds and tinder-dry vegetation in the southern Great Plains killed at least six people and prompted thousands of residents to evacuate early this month.

Exceptionally Dry March Continues, Fire Bans In Place On Colorado's Front Range (CBS TV, Denver)

http://denver.cbslocal.com/2017/03/20/dry-march-continues-fire-bans-in-place-on-colorados-front-range/

March 20, 2017 11:00 AM**DENVER (CBS4)** – So far March 2017 is the driest March on record for Colorado's Front Range, and with the heightened fire danger several county managers have enacted fire restrictions.

There were 200ths of an inch of precipitation recorded on March 11 in Denver, but otherwise the month has been nothing but dry with almost all above normal temperatures.

The following is a list of all the areas with fire restrictions in place, as of Monday:
– Adams County
– Arapahoe County
– Boulder County
– Clear Creek County
– Douglas County
– Elbert County
– Gilpin County
– Jefferson County
– Park County

Check the website coemergency.com for the latest updates on fire bans in Colorado.

Wildfire Resources
– Visit CBSDenver.com's Living With Wildfire section.

More money needed for levee project (Pueblo Chieftain)

BY JON POMPIA | JPOMPIA@CHIEFTAIN.COM

Mar 20, 2017 Updated 16 hrs ago

As the costs to rebuild the Arkansas River Levee to Federal Emergency Management Agency standards continue to rise, the Pueblo Conservancy District will consider a motion Wednesday that could potentially generate more funds for the work.

During a 10:30 a.m. public meeting at the Southeastern Colorado Heritage Center, 201 W. B Street, the conservancy district board will consider a motion that would approve the filing of an action in district court requesting an increase in the levee upkeep assessment currently being paid by Pueblo County taxpayers. Property owners in the city have been paying this assessment, based on property values, since 2008, and those in the county since 2013. Annually, this assessment generates $1 million. This new assessment would increase, up to 35 percent, the current assessment paid by property owners for levee upkeep.

There are three tiers to this and the proposed assessment. Taxpayers who reside in the county are assessed the least, followed by city residents, with taxpayers within the flood plain zone paying the highest share of the assessment. Conservancy district officials are hoping to raise an additional $350,000 per year countywide, which would be earmarked for completion of the $22 million, multi-phase levee restoration and rebuild. Currently, the annual assessment cost for property owners in the flood plain is $105 per $100,000 of property value; in the city limits, the cost is $9.87; and for those in the county, $6.81. If approved by a district court judge, those assessments would be hiked up to 35 percent in each tier. Per the FEMA mandates, conservancy district officials maintain that the levee must be rebuilt in order for it to be recertified by the federal agency. Failure to obtain this recertification would, ultimately, be more financially painful for property owners in the form of exorbitant flood insurance premiums. "The Arkansas River Levee is the only thing that keeps large areas of Pueblo County from being designated by FEMA to be in a flood plain," a conservancy district spokesperson said Monday.

March heat blows Elk River record out of water (Steamboat Today)

Elk River flows over-heated

http://www.steamboattoday.com/news/2017/mar/20/march-heat-blows-elk-river-record-out-water/

By Tom Ross
Monday, March 20, 2017

Steamboat Springs — The unseasonably warm weather in Routt County triggered record-setting flows March 18 through 20 in the Elk River at its confluence with the Yampa River west of Steamboat Springs, far surpassing the prior record for the date and causing a federal hydrologist who keeps a close watch on this portion of the Colorado River system to describe them as "shocking."

"It's crazy how high the flows are for this time of year," Ashley Nielson, a senior hydrologist with the Colorado Basin River Forecast Center in Salt Lake City Utah, said. "I think we're getting snowmelt at low and middle elevation and not at the higher elevations. But this is not something we expect this time of year."

The Elk is still well below flood stage, but the acceleration of snowmelt during a time when snowpack is typically increasing stands out from the norm.

Flows in the river, which has its headwaters in the Mount Zirkel Wilderness Area northeast of Clark, hit a 24-hour peak of 1,050 cubic feet per second at 1:45 a.m. March 20, nearly doubling the previous record for the date, according to the U.S. Geological Survey. The previous record was 524 cfs, recorded in 2007. The median March 20 flow is 160 cfs.

At the same time, the Yampa River was flowing through downtown Steamboat Springs at a rate of 408 cfs, well above the median of 150 cfs (in the 90th percentile range for the date), but significantly lower than the 1916 record for the date of 690 cfs.

High flows in the Elk have been driven by snow melting under bright skies and daytime temperatures in the 60s, which have dominated the weather throughout the month. The National Weather Service reports the high temperature in Steamboat reached 70 degrees March 19, but a cooling trend is on the way.

The Elk had calmed down to 896 cfs as of 9:30 a.m. Monday as it went through its diurnal cycle of rising and falling flow volumes. However, the River Forecast Center foresees the river will continue to rise to more than 1,000 cfs through March 23, when a cooling trend calms things down March 25 through 31 and the river could remain above 600 cfs.

A pair of snowpack measurement sites operated by the Natural Resources Conservation Service confirm the record flows in the Elk are attributable to snowmelt above 9,000 feet, Nielson agreed.

The Lost Dog site, at 9,320 feet of elevation on the edge of the Zirkel Wilderness, has lost 3 inches of snow water equivalent since March 16, leaving it at 113 percent of median for the date. The Elk River measuring site, at 8,700 feet, has also lost 3 inches of snow water equivalent in the same timeframe, and snowpack there stands at 93 percent of median.

Nielson pointed to the Tower measuring site on the summit of Buffalo Pass northeast of Steamboat Springs as evidence that snowmelt has not begun at the highest elevations in the Park Range. The water content of the snowpack there, at 10,500 feet, has not changed more than a fraction of an inch since March 7.

To reach Tom Ross, call 970-871-4205, email tross@SteamboatToday.com or follow him on Twitter @ThomasSRoss1

MONTANA:

Northeastern Montana flooding closes roads, threatens property and sets record (Billings Gazette)

By JORDON NIEDERMEIER Billings Gazette

Warm weather brought flooding to northeastern Montana over the weekend and at least one waterway reached record depths.

Big Muddy Creek near Antelope peaked at 17.84 feet Monday morning. That depth is more than five feet above the flood stage of 12 feet and represents a new flood standard. The stream's previous record flood depth was 17.37 feet, set on April 14, 1982, said Tanja Fransen, meteorologist at the National Weather Service's Glasgow station.

Before the weekend flooding, Big Muddy Creek was between 5 and 7 feet deep. The Poplar River also flooded in Roosevelt County, covering some roads with water. It rose from about 3.5 feet to a peak of roughly 15.5 feet around noon on Saturday.

"I always say no two floods are the same, and this has proven me correct," Fransen said.

She said the flooding was caused by a combination of factors. A previous thaw in February resulted in heavy slush on the waterways, and a subsequent cold snap created a thicker layer of ice than the one that preceded the warm-up. Culverts were filled with heavy ice and slush.

The problem was compounded by the high level of soil saturation ahead of the winter. Now that it's thawing out, the ground is not absorbing runoff.

Ice on the Poplar River also began breaking up with the recent warm weather. An ice jam formed near Poplar where the river feeds the Missouri River because the latter waterway is still frozen. Fransen said flooding was reported on several major roadways, including Highway 2 in Roosevelt and Valley County, Highway 248 and Highway 13 north of Wolf Point. Conditions improved on the state highways over the weekend but have deteriorated on secondary roads.

"We're not totally out of the woods yet, but we should start with some improvement in the next 24 hours," Fransen said.
Bainville, which sits in a large flat valley formed by an ancient river bed, was surrounded by water over the weekend as runoff made its way to the nearby Missouri River, said Dennis Portra, the town's mayor.

Portra said the flooding closed roads on the edges of town. Water approached homes as it rose and multiple temporary dikes were constructed to prevent property damage. In one case, high water prevented a family from accessing their home over the weekend. However, the house wasn't threatened by water.

"Things have gone pretty well," Portra said. "We have a tremendous amount of water, but I think we're going to come out all right."

Floodwaters wipe out popular Jerry Johnson hot springs pool (Missoulian)

- DAVID ERICKSON david.erickson@missoulian.com



DAVID ERICKSON david.erickson@missoulian.com

Usually large enough to accommodate at least a dozen soakers, the main pool at Jerry Johnson hot springs in Idaho has been reduced by floodwaters to a shallow depression just big enough for one or two people.

LOLO PASS, Idaho – Sometime in the last week, perhaps as recently as Saturday, floodwaters washed away the main soaking pool at the popular Jerry Johnson hot springs in Idaho.

Located a short hike from Highway 12 just over the border from Montana, the hot springs are visited by hundreds of people each week.

On Sunday, several dozen visitors seem surprised to find the pool had been obliterated. There are several pools in the area, but the main pool bore the brunt of the flooding.

Usually big enough to easily hold at least 12 people, it had been wiped away. Someone had apparently clawed away enough mud and sand to make a shallow depression big enough for two people in lukewarm water.

An upper pool was still usable on Sunday, but the floodwaters appeared to have altered the springs to make the water much cooler than normal. A group of soakers huddled toward one side of the pool to keep warm. A large stream had carved out a new channel in the mud in the area.

According to the U.S. Natural Resources Conservation Services, the Lolo Pass area received 3.5 inches of rainfall between March 13 and March 20. By comparison, the Missoula Valley averages about 14 inches of rainfall in a typical year.

According to the U.S. Geological Service, the Lochsa River experienced a rapid influx of water from March 13 until March 16. Data shows that the Lochsa was running at about 4,500 cubic feet per second on March 13 then hit nearly 20,000 cubic feet per second on March 17. It was still running at about 12,000 cfs on Sunday.

The hot springs are managed as a recreation site by the Nez Perce-Clearwater National Forests in Idaho. Margaret Riley at the Powell Ranger Station said that her office hadn't received any reports of the damage as of Monday afternoon, indicating that the event occurred fairly recently.

Riley said she didn't know the process for repairing the pool and needed to speak with more of her colleagues. In the past, the pools have been dug out and modified slightly on an ad-hoc basis by volunteers.

NORTH DAKOTA:

Now is the time to consider flood insurance, North Dakota commissioner warns (Forum News Service/Bismarck Tribune)

April Baumgarten Forum News Service (Bismarck Tribune)

North Dakota's insurance commissioner is encouraging residents who face major flooding to be prepared.

The warning from Commissioner Jon Godfread comes ahead of spring flooding, with parts of northeast North Dakota, especially near Grafton, Devils Lake and in Cavalier and Pembina counties, having the highest potential for flooding in the U.S., according to the National Weather Service. Devils Lake is expected to rise 3 to 4 feet, putting nearly 40,000 acres of land at risk.

Grafton will likely see major flooding and has a 25 percent chance of seeing a record-setting flood. The Park River in Grafton had a record crest of 16.16 feet in May 2013.

The major flood stage for the river begins at 14.5 feet, which the river should surpass later this spring. It's possible the river could rise as high as 19.7 feet.

Devils Lake, which is expected to see record runoff, could begin to rapidly rise from April into May, averaging a half-foot or more per week before it peaks, possibly above the June 2011 record elevation of 1,454.3 feet, according to the weather service.

The flood risk reduces to the south along the Red River, as there is little to no snow left south of Grand Forks.

Godfread warned residents in a news release that traditional homeowners insurance does not cover flood damage. When residents sign up for flood insurance, it takes 30 days to kick in, Godfread said in the release.

"I urge all North Dakotans to take the time to learn about how they can better protect themselves and their property from the destruction brought on by a flood," he said, adding it is "a critical time of year for consumers to talk to their insurance agent about their policy's limits and what other coverage options they have."

Flood insurance is available to homeowners, renters and businesses through the National Flood Insurance Program, which is managed by the Federal Emergency Management Administration.

The weather service may release an updated flood outlook on Friday.

Flood insurance: To buy or not to buy? (WDAZ-TV, Grand Forks)

http://www.wdaz.com/news/north-dakota/4237658-flood-insurance-buy-or-not-buy

By Jon Tweet on Mar 20, 2017 at 5:06 p.m.

GRAND FORKS, ND (WDAZ-TV) - Fighting a flood before it starts.

The North Dakota Insurance Commissioner wants you to buy flood insurance, but there are some important things to know.

A local agent reminds us National Flood Insurance only kicks in if FEMA determines your area flooded. The price is determined by the flood zone you are in.

Flood insurance doesn't cover water pump failure or other non-flood related water damage to your home.

The agent says the most important thing to know ahead of flood season, is that if you think you need it, you don't need to wait.

"The big thing with flood insurance though that I would always caution people on is 'don't wait too long' because flood policies don't take effect for 30 days after application," said Randy Fenley of State Farm Insurance. "So this is kind of getting to be one of those times where you either need to pull the trigger or take your chance on what the spring's going to be like."

Company: Dakota Access pipeline on track, despite "threats" (Bismarck Tribune)

Mar 20, 2017 Updated 11 hrs ago (AP story in Bismarck Tribune)
BISMARCK, N.D. (AP) — The company building the Dakota Access pipeline said Monday that the project remains on track to start moving oil this week despite recent "coordinated physical attacks" along the line.

The brief court filing late Monday from Dallas-based Energy Transfer Partners didn't detail the attacks, but said they "pose threats to life, physical safety and the environment."

The filing cited those threats for redacting much of the rest of the 2½-page report, but ended: "These coordinated attacks will not stop line-fill operations. With that in mind, the company now believes that oil may flow sometime this week."

A spokeswoman for the company declined to elaborate on the types of attacks. A spokesman for the Morton County sheriff's office, the center of months of sometimes violent conflicts between protesters and law enforcement, didn't immediately respond to an email.

The Standing Rock and Cheyenne River Sioux tribes have battled the $3.8 billion pipeline in court for months, arguing it's a threat to water and their right to practice their religion.

The company has maintained the pipeline, which will move oil from North Dakota's Bakken oil field more than 1,000 miles across four states to a shipping point in Illinois, will be safe.

An appeals court on Saturday refused a request from the tribes for an emergency order to prevent oil from flowing through the pipeline.

The tribes have challenged an earlier ruling by U.S. District Judge James Boasberg not to stop final construction of the pipeline, and they wanted the appeals court to halt any oil flow until that's resolved.

The appeals court said the tribes hadn't met "the stringent requirements" for such an order.

The tribes had asked Boasberg to direct the Army Corps of Engineers to withdraw permission for Energy Transfer Partners to lay pipe under Lake Oahe in North Dakota, which the Corps manages for the U.S. government. The stretch under the Missouri River reservoir is the last piece of construction for the pipeline.

The company is wrapping up pipe work under the lake and had said oil could start flowing between Monday and Wednesday.

The tribes' appeal rests on the religion argument. Boasberg has said he doesn't think the tribes have a strong case on appeal. He also said ETP would be "substantially harmed" by a delay in pipeline operations.

Environment activists deny attacking Dakota Access pipeline (AP, Bismarck Tribune)

Mar 21, 2017 (AP story in the Bismarck Tribune)
BISMARCK, N.D. (AP) — Environmental activists who tried to disrupt some oil pipeline operations in four states to protest the Dakota Access pipeline say they aren't responsible for any recent attacks on that pipeline.

Dakota Access developer Energy Transfer Partners said in court documents Monday that there have been "coordinated physical attacks" along the $3.8 billion pipeline that will carry oil from North Dakota to Illinois. Company officials haven't responded to AP requests for more details.

Jay O'Hara with the Climate Disobedience Center told The Associated Press Tuesday that Climate Direct Action wasn't involved, and he isn't aware of anyone claiming responsibility.

In October, Climate Direct Action activists tried to shut valves on oil pipelines in North Dakota, Minnesota, Montana and Washington. But O'Hara says the group has no plans to target Dakota Access.

SOUTH DAKOTA:

DUNE project in Lead would be among most sophisticated projects ever (Rapid City Journal)

Tom Griffith Journal staff (Rapid City Journal)
Mar 19, 2017
LEAD | Carve a few massive caverns nearly a mile below the surface of the Black Hills, haul off hundreds of thousands of tons of crushed rock, add the largest refrigeration system ever, then install the most sensitive particle detectors known to man, and you'd be ready to host what is arguably the most sophisticated science experiment ever staged on the planet.

That's exactly what the Sanford Underground Research Facility and the Fermi National Accelerator Laboratory are planning with the billion-dollar Deep Underground Neutrino Experiment.

“This is the first time an experiment of this scale has occurred anywhere in the world, and it’s going to be done right here,” Fermilab Deputy Project Manager Joshua Willhite told 100 Northern Hills residents during an informational meeting in Lead on Monday night.

The Deep Underground Neutrino Experiment, commonly referred to as DUNE, represents a scene straight out of a science fiction movie. As envisioned, scientists at the Fermilab near Chicago will fire a beam of tiny neutrinos at near-light speed that will carry the subatomic particles through solid rock 808 miles away to the Black Hills of South Dakota, where scientists deep underground at the Sanford Lab hope to “catch” the particles using sophisticated detectors.

The groundbreaking particle physics experiment currently has 960 collaborators from 163 institutions in 31 nations, Willhite said Monday. Sixty percent of those scientists are based outside the U.S., and that number is expected to grow, he noted.

“This has broad international support,” Willhite said.

Cutting-edge science

On its own, the $300-plus million investment for the experiment at the Sanford Lab in Lead represents the largest single project in the history of South Dakota, says Sanford Lab Director Mike Headley.

More important to scientists working around the world to unravel the mysteries of the universe, the experiment has the potential to advance scientific knowledge and yield technological advancements on a par with the race to the moon in the 1960s, project advocates contend.

“DUNE collaborators hope to learn the role neutrinos play in the evolution of the universe; better understand how supernovae produce the heavy elements— iron, calcium, carbon and others — that are necessary for life; how much mass the neutrino has; and why the universe consists of matter rather than antimatter,” the Lab’s Communications Director Constance Walter said Thursday. “Any, or all, of these discoveries will transform our understanding of the universe and advance physics to a whole new level.”

Neutrino research is a competitive field, with several different experiments around the globe looking for the same things DUNE hopes to discover, Walter explained. The DUNE team of scientists and engineers is developing cutting-edge technology on a scale much larger than anything that has been developed for neutrino experiments, she said.

“In its space race with the Soviet Union, NASA discovered new technologies and gained incredible knowledge, which eventually landed American astronauts on the moon,” Walter added. “With the development of new and the enhancement of existing technologies for DUNE and the Long-Baseline Neutrino Facility, we could see much the same thing in physics research.”

Closer to home, the federally financed experiment could have economic benefits unparalleled in South Dakota history, according to study findings presented at Monday’s 70-minute presentation. Those "credible and conservative" estimates of the local economic impacts of the projected construction and operations of Long-Baseline Neutrino Facility and DUNE in South

Dakota and Illinois took into account capital projects and direct spending, as well as additional business activity, jobs and payroll supported by that spending from 2016 through 2026.

During that period, the economic impact of LBNF/DUNE in the western South Dakota region will total $860 million in output and $330 million in earnings for local residents, according to the April 2016 study. The employment prospects for local residents will peak at more than 1,800 jobs in 2020, the study reported.

The total fiscal impact of LBNF/DUNE for the state of South Dakota is projected at $10.6 million in tax revenue from 2016 to 2026, peaking at $2.5 million in annual revenue in 2020, the study concluded.

Meanwhile, the study found the economic impact of LBNF/DUNE on the Chicago region would total $1.1 billion in output and $570 million in earnings for local residents. The impact on jobs for Illinois would peak at nearly 2,000 in 2024. The total fiscal impact for the state of Illinois would be $21 million in tax revenue from 2016 to 2026, peaking at $2.7 million in annual revenue in 2024, according to the study.

“This will be one of the largest science mega-projects ever to occur on U.S. soil,” Headley said Monday night. While already hosting several major underground experiments and an underground campus for students at Black Hills State University in Spearfish, Sanford Lab’s 163 current employees are gearing up for the new experiment, he and Willhite noted.

UTAH:

No FEMA-related stories

WYOMING:

As Snowpack Melts, Flooding Could Become Major Problem (Wyoming Public Radio)

By CAROLINE BALLARD • 44 MINUTES AGO

Wyoming has already seen ice jam flooding this winter on the Bighorn River, and flood watches and warnings have been issued for communities around the Western Mountains in the last few weeks. With sustained warm temperatures and high snowpack, flooding could continue to be a problem this spring.

Diana Herrera is the senior flood insurance specialist with FEMA Region 8, which encompasses the Rocky Mountain West. She said people should be aware of their risk for flooding, and that there are a number of things that can reduce that risk.

"You can use sandbags. You can make yourself a temporary levee with Visqueen and plywood and sand to help give you a little barrier around the house. So there are a number of opportunities you can use to help reduce the risk for flooding. Right now we just don't know what it's going to do," said Herrera.

And if Herrera said purchasing flood insurance, which is sold separately from homeowners or renters insurance, could take a while.

"There's also a thirty day wait period in order to buy flood insurance. So if you see the water coming down the creek you're too late. So talk to your insurance agent, get a quote, get your policy in place before the rest of that snow pack comes down," said Herrera.

Herrera said it's difficult to predict what will happen with the snowpack, but that it could be similar to 2011 when the state saw extensive flooding. To find your flood zone risk, visit www.floodfind.com.

Landslide Crumbles Highway 89 (Jackson Hole News and Guide)

March 20, 2017

Commuters driving to Jackson from Star Valley this morning should expect delays due to a landslide that is fracturing a stretch of U.S. 89/26.

Wyoming Department of Transportation officials were able to reopen a deteriorating stretch of Snake River Canyon on Saturday afternoon by creating a temporary lane, allowing two-way traffic to flow at a reduced speed around damage caused by the landslide.

"Two-way traffic is flowing, so I guess we're OK," WYDOT Maintenance Foreman Bruce Daigle said Sunday. "Our lane we built is working out well."

The 100-foot stretch of highway that's cracking is just a few miles south of Hoback Junction and has been expanding since Friday when it was discovered. Fissures in the ground were up to 4 inches wide and 2 feet deep.

The Snake River Canyon was closed from 8 p.m. Friday until about 3 p.m. Saturday while crews from Jackson, Pinedale and Afton built the temporary lane.

That delayed many drivers, including D.J. Olsen, who had to sleep in his U-Haul at a nearby turnout.

"It's been one crazy time for me," Olsen said. "I broke my phone as I was moving so I had to go back to my dumb phone. I don't have service so I can't watch any Netflix or anything so I'm just sitting here enjoying the view."

Olsen was on the last stretch of his move from Casper to Blackfoot, Idaho, when he was stopped by the road closure around midnight Friday, where he was stuck for almost 15 hours.

"I can't go over Teton Pass because I have a trailer," Olsen said. "I went and got doughnuts and a hot beverage."

The new lane that allowed the road to reopen was made by filling the drainage ditch with dirt and laying down two types of geogrid, which is used to reinforce soils. Gravel was placed on top, smoothed and then covered with a road base. The new lane will have to be maintained every few days because of the heavy traffic expected through Snake River Canyon, Daigle said.

The landslide is being called the Twin Pine Slide because of two big pine trees that stand nearby.

"This spot has had a dip in it for years," Daigle said. "But this year's storm events I think has really pushed this along."

The road is crumbling between two retaining walls, in the space where a deer jump was put. It's a steep hillside down to the Snake River, and the extreme moisture this year has caused the earth to soften and move.

"I think with the moisture this year it finally got wet enough that it's going downhill," WYDOT geologist Kirk Hood said. "Gravity works."

The movement is a textbook landslide.

"With all the moisture in the ground, the dirt just lost sheer strength and it's just failing and sliding toward the Snake," Hood said. "It's a true landslide."

Drivers should expect frequent closures and delays while crews continue to monitor the landslide, Daigle said.

Early Wildfire In Tongue River Canyon Investigated (Associated Press)

March 20, 2017

SHERIDAN, Wyo. (AP) — Bighorn National Forest officials are investigating an early-season wildfire in the Tongue River Canyon west of Sheridan.

They say the fire was human-caused.

A hiker reported the fire on a dry, south-facing slope Sunday afternoon. The fire burned about 30 acres of timber and grass but firefighters got the flames under control.

They're expecting rain in the area Monday and Tuesday.

Forest officials urge campers to be careful with campfires.

FEMA-RELATED STORIES:

Trump's cut to flood map program could trigger insurance rate hikes: group (Reuters)

By Suzanne Barlyn

A proposal by the Trump administration to cut $190 million in funding for updating U.S. maps of flood-prone areas would trigger higher insurance rates or more homebuilding in risky locations, a consumer group said on Monday.

Flood-mapping provides important details about where it is safe to build, whether flood insurance is needed and how to price coverage, Robert Hunter, director of insurance for the Consumer Federation of America, said in a statement.

Slashing funding for the National Flood Insurance Program's (NFIP) retooling of U.S. flood maps will lead to relying on old maps and construction in areas that are now flood prone, or hiking insurance premiums to pay for new maps, Hunter said.

The White House 2018 budget, unveiled last Thursday, would eliminate a $190 million "discretionary appropriation" for the National Flood Insurance Program's (NFIP) updating of U.S. flood maps and "explore other more effective and fair means of funding flood mapping efforts."

Costs for mapping have been shared by insurance policyholders and the federal government for the past 15 years, said a spokeswoman for the Federal Emergency Management (FEMA), which operates the flood insurance program.

"The president's budget directs us to explore avenues to shift these costs away from general appropriations," the FEMA spokeswoman said.

Updating U.S. flood maps is seen by consumer and insurance industry advocates as a necessary step toward modernizing the U.S. flood insurance market.

The White House 2018 budget is the first step in a long process that will be debated by U.S. lawmakers.

The NFIP, whose authorization is set to expire in September, could face other sweeping changes. The program is $24.6 billion in debt to the U.S. Treasury Department, the FEMA spokeswoman said.

Insurance industry groups are also concerned about the mapping proposal. "Understandably, we're all concerned about the potential to undermine efforts to modernize the maps," said Leigh Ann Pusey, president and chief executive officer of the American Insurance Association.

Still, the budget process is at an early stage, Pusey said.

U.S. Sees Furious Start To The Wildfire Season (USA Today)

By Doyle Rice

March 20, 2017

Wildfires have charred a whopping 2 million acres across the U.S. so far this year, an area larger than the state of Delaware.

It's a gigantic number for so early in the season, roughly 10 times the average and also the most acres burned as of mid-March since 2006, according to spokeswoman Jessica Gardetto of the National Interagency Fire Center in Boise, Idaho.

Many of the blazes have been massive grass fires in Oklahoma and Kansas, which have both set records for number of acres burned in March, Gardetto said.

An Oklahoma truck driver died two weeks ago in Clark County, Kan., due to smoke inhalation from a fire, the Kansas state fire marshal's office reported. There have also been at least seven fire-related injuries, two of whom were first responders.

In Kansas, most fires are started by "controlled" or planned fires that either rekindled or spread out of control, according to Kevin Doel, a spokesman with the Kansas State Fire Marshal's office. (However, the causes of this year's blazes have yet to be determined.)

So far this year, approximately 650,000 acres have burned, Doel said, though that number may change as the fire data are further analyzed.

In parched Oklahoma, drought conditions now encompass three-quarters of the state, the U.S. Drought Monitor said. Oklahoma City has received a paltry 0.01 of an inch of rain so far this month, the National Weather Service said, which is less than 1% of the city's typical March precipitation.

Ongoing warm, dry, breezy weather will bring ideal conditions for fires to spread in Oklahoma on several days this week, the weather service predicted.

Along with drawing hot, dry air out of Mexico, strong south to southwest winds will increase the wildfire threat across the region this week by quickly spreading any small fires that break out over the southern and central High Plains, AccuWeather said.

"The wildfire danger will ramp up on Wednesday with the worst conditions likely on Thursday," according to AccuWeather meteorologist Brett Anderson.

Farther west, the Sunshine Fire, which forced hundreds of people from their homes in Colorado on Sunday, was due in part to tinder-dry conditions there. While March is typically Colorado's snowiest month of the year, "one of the firefighters said it feels like June up there," Boulder County Sheriff's Cmdr. Mike Wagner said, when referring to the fire zone. "There is no moisture," he said.

Wagner called the dry conditions "concerning" and said they could contribute to a major fire season this summer. "June is a more typical fire season, hotter and drier," he said. "But around here it seems that fire season goes all year long."

Man-made climate change has been cited as a cause of the lengthening wildfire season in the West, several scientific studies have shown, and has increased the likelihood of extreme fires there.

From: Greff, Stacie
Sent: 17 Feb 2017 01:26:48 -0500
To: Dragani, Nancy
Cc: Deal, Timothy;Dick, Jennifer
Subject: FW: BURGUM: ARMY CORPS REAFFIRMS FEB. 22 CLOSURE DATE FOR PROTEST CAMP
Attachments: ARMY CORPS OF ENGINEERS REAFFIRMS FEB. 22 CLOSURE DATE FOR PROTEST CAMP.PDF

Sent from my iFEMA mobile device.

From: Nowatzki, Mike
Sent: Friday, February 17, 2017 1:31:58 AM
To: Nowatzki, Mike
Subject: BURGUM: ARMY CORPS REAFFIRMS FEB. 22 CLOSURE DATE FOR PROTEST CAMP

State of
North Dakota
Office of the Governor

Doug Burgum
Governor

NEWS: FOR IMMEDIATE RELEASE
Contact: Mike Nowatzki, 701.328.2424

Army Corps of Engineers reaffirms Feb. 22 closure date for protest camp

BISMARCK, N.D. (Feb. 16, 2017) – In a phone call Thursday with Gov. Doug Burgum, a top U.S. Army Corps of Engineers official reaffirmed the Feb. 22 date set by the Corps earlier this month for closing the main Dakota Access Pipeline protest camp in southern Morton County.

Maj. Gen. Donald E. "Ed" Jackson Jr., the Corps' deputy commanding general for civil and emergency operations, told Burgum the Corps will not change the Feb. 22 date as listed in a notice issued Feb. 3 informing protesters of the closure of the Corps-managed federal land adjacent to the Cannonball River.

On Wednesday, the governor issued an executive order reinforcing the Feb. 22 date for evacuation of the camp, citing the threat that spring flooding poses to human life and the environment. The order requires anyone occupying or residing in the evacuation area to leave the area no later than 2 p.m. Wednesday, Feb. 22.

To accelerate the ongoing cleanup effort at the camp, Corps officials indicated Wednesday they plan to deploy additional resources before the Feb. 22 deadline.

“Public safety and protecting the environment remain our top priorities,” Burgum said. “We urge those remaining at the camp to allow cleanup efforts to continue and to vacate the camp as soon as possible before potentially life-threatening flooding occurs.”

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State of
North Dakota
Office of the Governor

Doug Burgum
Governor

NEWS: FOR IMMEDIATE RELEASE
Contact: Mike Nowatzki, 701.328.2424

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From: Greff, Stacie
Sent: 8 Feb 2017 22:53:48 -0500
To: R8 Division Directors
Cc: Dombrowski, Justin;FEMA-MOC-DENVER
Subject: FW: BURGUM ISSUES STATEMENT ON GRANTING OF DAKOTA ACCESS PIPELINE EASEMENT
Attachments: image001.emz

Awareness only.

Sent from my iFEMA mobile device.

From: Nowatzki, Mike
Sent: Thursday, February 09, 2017 3:23:37 AM
To: Nowatzki, Mike
Subject: BURGUM ISSUES STATEMENT ON GRANTING OF DAKOTA ACCESS PIPELINE EASEMENT

State of
North Dakota
Office of the Governor

Doug Burgum
Governor

NEWS: FOR IMMEDIATE RELEASE
Contact: Mike Nowatzki, 701.328.2424

Burgum issues statement on granting of final easement for Dakota Access Pipeline

BISMARCK, N.D. (Feb. 8, 2017) – Gov. Doug Burgum issued the following statement today after the U.S. Army Corps of Engineers granted the easement needed for the Dakota Access Pipeline

to cross Army Corps land at Lake Oahe. Col. John Henderson, commander of the Army Corps' Omaha District, informed the governor's office that the final easement had been issued.

"This easement allows for completion of an important piece of infrastructure that will provide a safe means of moving North Dakota crude oil to market while protecting the Missouri River for the Standing Rock Sioux Tribe and other downstream users," Gov. Burgum said. "Public safety remains our No. 1 concern. We ask for everyone's cooperation and restraint to ensure that the pipeline is completed in a safe manner and that the massive clean-up effort to remove tents, structures, garbage and other debris from the protest camps is completed and the camps are vacated before potentially life-threatening spring flooding occurs."

"We continue to call upon federal officials to send additional law enforcement resources, including Bureau of Indian Affairs and U.S. Customs and Border Protection officers, to assist state and local authorities in keeping the peace during construction," Burgum said.

-###-

From: Greff, Stacie
Sent: 15 Feb 2017 11:30:42 -0500
To: R8 Division Directors
Subject: FW: Clip: DAPL

Fysa

Sent from my iFEMA mobile device.

From: DeFelice, Jerome
Sent: Wednesday, February 15, 2017 3:33:20 PM
To: Greff, Stacie; Dombrowski, Justin; Floyd, Megan; Garcia, Carol; Stephenson, James R
Subject: Clip: DAPL

Article by Bismarck AP reporter. Appeared in this morning's Denver Post and other outlets across the region. He's been doing these sort of updates periodically.

A guide to recent events in the Dakota Access pipeline battle

North Dakota says law enforcement response to pipeline protests has cost taxpayers $33 million so far.

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Tom Stromme, The Bismarck Tribune

This aerial photo shows a site where the final phase of the Dakota Access Pipeline will take place with boring equipment routing the pipeline underground and across Lake Oahe to connect with the existing pipeline in Emmons County, Feb. 13, 2017, in Cannon Ball, N.D.

By The Associated Press

PUBLISHED: February 14, 2017 at 6:02 pm | UPDATED: February 14, 2017 at 6:31 pm

By Blake Nicholson, *The Associated Press*

BISMARCK, N.D. — The disputed four-state Dakota Access pipeline could be moving oil in as little as a month, though opponents are promising to continue fighting the project. Here's a look at recent developments, and what's to come:

How far along is construction of the Dakota Access pipeline?

Texas-based developer Energy Transfer Partners on Feb. 8 received approval from the Army to lay pipe under a Missouri River reservoir in North Dakota — the last remaining section of the 1,200-mile pipeline that would move North Dakota oil to Illinois. Drilling work at Lake Oahe began immediately. The development was prompted by President Donald Trump, who pushed the Army to advance construction.

ETP spokeswoman Vicki Granado initially said the pipeline would be operational within three months. However, company lawyer David Debold on Monday suggested it could be ready for oil in as little as 30 days. Granado credited the efficiency of the company's equipment and crews, but didn't elaborate.

What's the latest ruling in the court cases involving the Standing Rock and Cheyenne River Sioux?

The Standing Rock and Cheyenne River Sioux say the $3.8 billion pipeline threatens their drinking water, cultural sites and ability to practice their religion, which depends on pure water. They asked U.S. District Judge James Boasberg to temporarily halt construction at Lake Oahe until their legal challenges are resolved.

Boasberg on Monday refused, though he scheduled a Feb. 27 hearing on a request by Cheyenne River to force the Army to withdraw its permission for the lake crossing.

Tom Stromme, The Bismarck Tribune via AP, file

A section of the Dakota Access Pipeline under construction near the town of St. Anthony in Morton County, N.D., on June 29, 2016.

A Standing Rock attorney plans to ask Boasberg to rule on the tribe's claims before pipeline operations begin.

The Oglala and Yankton Sioux tribes in South Dakota have filed similar legal challenges, the Yankton tribe in September and the Oglala Sioux on Saturday.

In a separate lawsuit, pipeline opponents suing police for allegedly using excessive force are appealing a federal judge's recent ruling allowing authorities to continue using tactics such as tear gas and rubber bullets for crowd dispersal.

Are there still people protesting construction of the pipeline?

Law enforcement records show that such tactics haven't been used since Jan. 19, at a blockaded highway bridge in the area of a protest encampment on federal land in southern North Dakota.

The camp has at times housed thousands of protesters who have often clashed with police. It's now home to only a few hundred people and is being cleaned up in advance of spring flooding and a Feb. 22 closing date set by the Army Corps of Engineers.

Many protesters don't plan to leave the area. Cheyenne River chairman Harold Frazier says that tribe is leasing about 25 acres on the Standing Rock Reservation for camps. American Indian activist Chase Iron Eyes also is encouraging a continued presence in the area.

Is the bridge that was damaged by fire open to traffic?

The bridge on U.S. 1806 has been closed since it was damaged by fires Oct. 28. Officials have been working in recent weeks to reopen it in the interest of easing tensions. Guardrail repairs were completed Friday and temporary asphalt patching was finished Monday, at a total cost of about $10,000, according to Department of Transportation spokeswoman Jamie Olson. However, it won't be reopened until authorities determine tensions have eased enough to warrant it, said Morton County sheriff's spokesman Rob Keller.

The Transportation Department on Monday did reopen 8 miles of an 18-mile closed stretch of the highway, "allowing farmers, ranchers, people who have business down there to have more freedom of travel," Keller said.

What's the price tag for law enforcement related to the Dakota Access pipeline protest?

Law enforcement continues to maintain a heavy presence in the area despite the fading of protests.

New figures from the state show the law enforcement response over the past half-year has involved officers from 10 states, resulted in 705 arrests and cost taxpayers $33 million — $25 million for officer pay, $3.6 million for travel and lodging, and $4.3 million for equipment and supplies.

The data show that 92 percent of the 660 people who have been arrested are not from North Dakota.

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From: Greff, Stacie
Sent: 15 Feb 2017 19:28:19 -0500
To: R8 Division Directors
Cc: Dombrowski, Justin;Floyd, Megan
Subject: FW: ND governor's press conference

Press brief late this afternoon.

Sent from my iFEMA mobile device.

From: DeFelice, Jerome
Sent: Thursday, February 16, 2017 12:14:40 AM
To: Greff, Stacie; Dombrowski, Justin
Cc: R8 External Affairs
Subject: ND governor's press conference

A few quick notes:

- Governor spoke for 35 minutes. Q&A for about half that time. A dozen questions from media. Wrapped it up when there were no further questions. No mention of federal assistance or reimbursement until governor was asked the question during the media Q&A.
- Governor issued an executive order today for people in the camp to evacuate, brought on in large part because of the forecast for a major warmup which will result in rising floodwaters. State's priorities are "life-safety and environmental restoration"—repeated throughout the briefing.
- Governor described the order as a "reaffirmation" of the USACE deadline of FEB 22. Made the point that people should not delay, as it will take a long time to safely clean up the camp.
- Estimated that roughly 20 percent of the cleanup has been completed over the past 12 days. Given the flood threat, there is an urgent need to speed up the evacuations and cleanup.
- State is maintaining communication with tribe and other groups that are represented at the camp, and is working with the leadership to be careful not to degrade or destroy cultural artifacts. Cleanup is accomplished with heavy equipment that itself will cause damage.
- AP/Nicholson asked about cleanup costs. Governor repeated that the state shouldn't have to pay, but doesn't want to "sit around' while the flood threat and environmental degradation worsens. "We can discuss costs later." "I don't want to get into a political discussion." Repeated, "the state shouldn't have to pay since this is not a state-initiated effort."
- State is getting assistance from BIA ('they've been terrific") and through EMAC, which continues still.
- A request for federal law enforcement assistance is still in the works.

- No price tag mentioned for costs incurred by the state.
- No mention of FEMA or DHS.

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From: Greff, Stacie
Sent: 7 Feb 2017 16:55:30 -0500
To: R8 Division Directors
Cc: Dombrowski, Justin;Floyd, Megan;Root, Michael;FEMA-MOC-DENVER
Subject: INFO: BURGUM ISSUES STATEMENT ON DAKOTA ACCESS PIPELINE EASEMENT
Attachments: image001.emz, BURGUM ISSUES STATEMENT ON DAKOTA ACCESS PIPELINE EASEMENT.PDF

FYSA

From: Nowatzki, Mike [mailto:(b)(6)@nd.gov]
Sent: Tuesday, February 07, 2017 2:32 PM
To: Nowatzki, Mike (b)(6)@nd.gov>
Subject: BURGUM ISSUES STATEMENT ON DAKOTA ACCESS PIPELINE EASEMENT

State of
North Dakota
Office of the Governor

Doug Burgum
Governor

NEWS: FOR IMMEDIATE RELEASE
Contact: Mike Nowatzki, 701.328.2424

Burgum issues statement on Dakota Access Pipeline easement

BISMARCK, N.D. (Feb. 7, 2017). – Gov. Doug Burgum issued the following statement today after Acting Secretary of the Army Robert Speer informed him that the U.S. Army Corps of Engineers was notifying Congress of its intent to issue the easement for the Dakota Access Pipeline crossing at Lake Oahe.

"Secretary Speer informed me that the Corps has completed its review of the easement and plans to issue it no earlier than Wednesday afternoon," Gov. Burgum said. "This is a key step toward the completion of this important infrastructure project, which has faced months of politically driven delays and will allow for safe transport of North Dakota product to market."

"Our top priority remains public safety and the environmental cleanup of the protest camps that lie within the floodplain to avoid an ecological disaster when potentially dangerous spring flooding arrives," Burgum said. "We continue to support the Standing Rock Sioux Tribe's request that protesters leave the area and go home. We also continue to ask for additional federal law enforcement assistance to assist

local and state authorities in peacekeeping and provide a safe environment for all North Dakotans until construction is completed.”

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Office of the Governor

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Governor

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From: Greff, Stacie
Sent: 24 Jan 2017 12:54:02 -0500
To: R8 Division Directors
Cc: Dombrowski, Justin
Subject: INFO: Trump advances controversial oil pipelines with executive action

Awareness only.

From: Jerry DwFelice [mailto:(b)(6) @aol.com]
Sent: Tuesday, January 24, 2017 10:41 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>
Cc: Floyd, Megan <Megan.Floyd@fema.dhs.gov>
Subject: CNN: Trump advances controversial oil pipelines with executive action

Trump advances controversial oil pipelines with executive action
CNN

President Donald Trump signed executive actions to advance approval of the Keystone XL and Dakota Access oil pipelines, he announced from the White House on Tuesday. Read the full story

Shared from Apple News

Sent from my iPhone

From: DeFelice, Jerome
Sent: 17 Mar 2017 12:36:52 -0400
To: R8 ALL PFTs-CORES
Cc: (b)(6) (b)(6) @state.co.us; (b)(6) @mail.mil;Ryan (b)(6) @mail.mil; (b)(6) @nd.gov; (b)(6) @state.sd.us (b)(6) @state.sd.us; (b)(6) @utah.gov; (b)(6) @wyo.gov; (b)(6) @acf.hhs.gov; (b)(6) @usace.army.mil; (b)(6) @usace.army.mil; (b)(6) @state.mn.us;Peterson, Mark J; (b)(6) @hhs.gov; (b)(6) @hhs.gov (b)(6) @hhs.gov; (b)(6) @sba.gov; (b)(6) @sba.gov;Nelson, Jason (b)(6) @fs.fed.us;Alexander, Daniel (b)(6) @atf.gov; (b)(6) @aveshka.com;Carlson-Sherbo, Diana
Subject: Region VIII News Clips, Friday, March 17
Attachments: R8 Clips 03-17-17.docx

Region VIII Clips

Friday, March 17, 2017

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Army Corps on trial over Missouri River flooding complaint AP/ Rapid City Journal

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WYOMING:

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STORIES

COLORADO:

Trump Preview Budget Revealed

By Casey Coffee
KRDO-TV Colorado Springs (CO), March 16, 2017

WASHINGTON, DC – President Trump has released his preliminary budget. The 62 page outline is called "America First – A Budget Blueprint to Make America Great Again."

You can find the entire document HERE

There are several budget items that could impact Colorado Springs, Southern Colorado, and military installations in our area.

There are also items that impact the Veterans Administration, FEMA funds for mitigation, and funding for rural airports.

ARMY/AIR FORCE

• Strengthens the U.S. Army by rebuilding readiness, reversing end strength reductions, and preparing for future challenges. This Budget is an initial step toward restoring an Army that has been stressed by high operational demand and constrained funding levels in recent years.

• Accelerates Air Force efforts to improve tactical air fleet readiness, ensure technical superiority,

and repair aging infrastructure. Key investments in maintenance capacity, training systems,

and additional F-35 Joint Strike Fighters would enable the Air Force, which is now the smallest it has been in history, to counter the growing number of complex threats from sophisticated state actors and transnational terrorist groups.

VA ADMIN

• Ensures the Nation's veterans receive high-quality health care and timely access to benefits and services. An estimated 11 million veterans participate in VA programs. This Budget provides the resources necessary to ensure veterans receive the care and support earned through their service to the Nation.

• Provides a $4.6 billion increase in discretionary funding for VA health care to improve patient access and timeliness of medical care services for over nine million enrolled veterans. This funding would enable the Department to provide a broad range of primary care, specialized care, and related medical and social support services to enrolled veterans, including services that are uniquely related to veterans' health and special needs.

• Extends and funds the Veterans Choice Program to ensure that every eligible veteran continues to have the choice to seek care at VA or through a private provider. Without action, this critical program will expire in August 2017, which would result in veterans having fewer choices of where to receive care.

• Supports VA programs that provide services to homeless and at-risk veterans and their families to help keep them safe and sheltered.

• Provides access to education benefits, enhanced services, and other programs to assist veterans' transition to civilian life. VA partners with other agencies to provide critical training, support services, and counseling throughout a veteran's transition and their post-military career.

40 Department of Veterans Affairs

• Continues critical investments aimed at optimizing productivity and transforming VA's claims processes. Provides resources to reduce the time required to process and adjudicate veterans' disability compensation claims.

• Invests in information technology to improve the efficiency and efficacy of VA services. Provides sufficient funding for sustainment, development, and modernization initiatives that would improve the quality of services provided to veterans and avoid the costs of maintaining outdated, inefficient systems.

FEMA MONEY FOR MITIGATION

• Eliminates or reduces State and local grant funding by $667 million for programs administered by the Federal Emergency Management Agency (FEMA) that are either unauthorized by the Congress, such as FEMA's Pre-Disaster Mitigation Grant Program, or that must provide more measurable results and ensure the Federal Government is not supplanting other stakeholders' responsibilities, such as the Homeland Security Grant Program. For that reason, the Budget also proposes establishing a 25 percent non-Federal cost match for FEMA preparedness grant awards that currently require no cost match. This is the same cost-sharing approach as FEMA's disaster recovery grants. The activities and acquisitions funded through these grant programs are primarily State and local functions.

*Colorado Springs applied for this grant last year: FEMA Pre Disaster Mitigation (PDM) Fiscal Year 2016: Sub-applications Identified for Further Review:

Colorado Springs Fire Department: Colorado Springs Wildfire Mitigation Project

Mitigating hazardous fuels in open spaces adjacent to neighborhood communities with wildfire risk. The work will consist of thinning dead and diseased trees and brush, removing oak brush and small diameter trees from under pines, pruning trees along trails and roads, and separating clumps of oak brush through thinning and removal.

AIRPORT FUNDING

Eliminates funding for the Essential Air Service (EAS) program, which was originally conceived

of as a temporary program nearly 40 years ago to provide subsidized commercial air service to rural airports. EAS flights are not full and have high subsidy costs per passenger. Several EAS-eligible communities are relatively close to major airports, and communities that have EAS could be served by other existing modes of transportation. This proposal would result in a discretionary savings of $175 million from the 2017 annualized CR level.

MONTANA:

NORTH DAKOTA:

Flood insurance is only reasonable choice

Editorials , Minot Daily News
Mar 17, 2017

It is entirely possible that Minot will go years, decades even, without another devastating flood event such as that of 2011. It is entirely possible that flood protection for the Minot region is put in place by then and helps stave off a devastating flood event. If there is one thing everyone in Minot can agree on it is a desire to never have to deal with serious flooding again.

However, would you want to bet everything you have on a flood not happening again?

Effectively that is what people who live in the current flood zone or who anticipate that they will live in the still developing updated flood zone will do if they opt not to acquire flood insurance.

The threat of a flood in Minot is not like threats in some other communities. It isn't a distant, conceptual worry. It is an existential threat, particularly to those for whom the 2011 flood is still a visceral memory. Flood insurance isn't for enhanced piece of mind… like, say, renters insurance. Instead, it really is the only rational choice.

Proponents made the case earlier this week in Minot, and they made a strong case. Right now, flood insurance is generally pretty affordable. It is not going to stay that way. Getting in position to have one's rate grandfathered when the new rates are established only makes sense.

Had more people been insured in 2011, the overall economic impact of the flood would have been lessened.

Sometimes common sense doesn't require a study to confirm it. If you live adjacent to a body of water that fluctuates, one should probably be prepared for potential flooding.

Flood insurance makes common sense.

Let's be smart and take a good hard look at protecting ourselves.

Minot City Council Approves $1.85 Million Grant

Associated Press, March 16, 2017

MINOT, N.D. (AP) — The renovation of an apartment building in southeast Minot is moving forward as the first major project of the city's National Disaster Resilience Program.

The City Council approved a $1.85 million grant to rehabilitate the existing 35-unit building and add five more units, the Minot Daily News (http://bit.ly/2m5w7m0) reported. Park South Apartments will be required to offer 30 of its units at affordable rents for 30 years and four handicap accessible units.

"We should feel a great satisfaction to be able to provide quality, affordable housing with this program," said Bruce Walker, a principal in the property's nonprofit owner, Essential Living. "We feel this project is part of the long-term solution in Minot for affordable housing."

He said building renovations will include a new heating system, an elevator and stormwater management. The property, which was built in 1948 as a convent, includes an additional five acres that will be saved for future construction of affordable housing when needed.

The Department of Housing and Urban Development awarded Minot a $74 million National Disaster Resilience Grant last year to help with recovery from the 2011 Souris River flood.

City Manager Tom Barry said the resilience program aims to use $21 million of the grant available for multi-family housing to create 183 affordable rental units.

Information from: Minot Daily News, http://www.minotdailynews.com

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US taxpayers might be on the hook for pipeline protest costs

- By BLAKE NICHOLSON Associated Press
- Mar 16, 2017 Updated 19 hrs ago

BISMARCK, N.D. (AP) — North Dakota officials appear poised to go after the U.S. government — and thus U.S. taxpayers — to recoup more than $38 million in state expenses related to months of protests against the Dakota Access pipeline, though a longstanding offer from the project's developer to pay up is still on the table.

One taxpayer watchdog group questions why the state isn't jumping at the offer from Dallas-based Energy Transfer Partners, a company worth billions of dollars.

"You take the money when you can get it," said Dustin Gawrylow, managing director of the North Dakota Watchdog Network, which keeps tabs on how public money is spent.

The matter might not be that simple. Common Cause, a nonpartisan group that promotes government accountability, says accepting money from a private-sector business in an industry it regulates would present the state with an ethical dilemma.

Pipeline opponents have long accused the state of being too cozy with ETP, and if the state takes the company's money "it certainly would lend credence to those arguments," said Joye Braun, a protest leader.

"For Energy Transfer to offer a donation, basically that's paying off the state for using state resources as personal security," she said.

Gawrylow said ETP's offer, while it would help the state, might be more marketing than generosity.

"They're not spending it out of the goodness of their heart. They're spending it to build goodwill in North Dakota" after months of upheaval, he said.

Work is wrapping up on the $3.8 billion pipeline to move North Dakota oil 1,200 miles to a shipping point in Illinois, and oil could be flowing as early as Monday despite an ongoing legal challenge by Sioux tribes who fear the project could affect their water supply — a claim ETP rejects.

The saga has endured for months, with hundreds and sometimes thousands of pipeline opponents camping on federal land near the drill site and often clashing with police. About 750 arrests were made between early August and late February, when camps on property managed by the Corps were shut down in advance of spring flooding season.

State officials have not been clear on why they haven't accepted ETP's offer, first made in the fall.

"The governor hasn't said whether the state will or won't seek reimbursement from ETP, only that all options are on the table," Mike Nowatzki, spokesman for Republican Gov. Doug Burgum, said.

State Budget Director Pam Sharp told The Associated Press that nothing in state law would prevent North Dakota from accepting such a donation, and that it's happened before, though not in such a sizable amount. For example, smaller private donations have been made to the state-operated North Dakota Veterans Home, she said.

Both Nowatzki and ETP spokeswoman Vicki Granado said they weren't aware of any discussions between state officials and ETP. But, Nowatzki said, "the governor's office has been in discussions with both the U.S. Army Corps of Engineers and White House officials to emphasize the state's position that federal reimbursement is warranted."

U.S. Sen. John Hoeven, a Republican from North Dakota, said his office also is working to get the Corps to reimburse protest-related state costs.

State Attorney General Wayne Stenehjem has publicly broached the idea of suing the federal government. He didn't respond to requests for comment.

The state Emergency Commission late last year approved borrowing $17 million to cover the costs, and the first bill Burgum signed as governor after taking office in January authorized an additional $8 million. But the cost has surpassed the approved total by $13 million, and officials plan to ask the Legislature for more money, state Emergency Services spokeswoman Cecily Fong said.

"I would be very surprised if the Legislature does not cover the full cost," said Republican state Rep. Jeff Delzer, chairman of the House Appropriations Committee.

Nowatzki said Burgum's chief concern "is ensuring that North Dakota taxpayers alone don't foot the bill."

Accepting money from ETP would be a risky way of doing that, according to Paul S. Ryan, vice president of litigation and public policy for Common Cause.

"One would reasonably question whether the state could in an unbiased way regulate ETP if it is receiving tens of millions of dollars in cold hard cash from ETP," he said.

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SOUTH DAKOTA:

Army Corps on trial over Missouri River flooding complaint

- JIM SUHR Associated Press
- Mar 16, 2017 Updated Mar 16, 2017

KANSAS CITY, Mo. | The U.S. Army Corps of Engineers is defending itself at trial against more than 300 farmers and other landowners who say the agency's management of the Missouri River has contributed to major flooding in five states, most notably 2011 flooding that caused billions of dollars in damage.

The lawsuit, filed in 2014 in the U.S. Court of Federal Claims, argues that the Corps has altered its practices regarding the river's water storage, release and flow management since the mid-2000s, de-emphasizing flood control while pushing to restore habitat for endangered species. It contends that the Corps unconstitutionally deprived plaintiffs of their land, essentially taking it without compensation.

Although the lawsuit doesn't specify the amount of damages being sought, the landowners' attorney has said it could exceed $250 million. The plaintiffs believe case law is on their side, given a U.S. Supreme Court ruling in December 2012 that the federal government is not automatically exempt from paying for damage caused by temporary flooding from its dams.

The case, which isn't expected to be decided until this summer at the earliest, reflects longstanding debate about the Corps' management of the river as the agency tries to strike a balance among competing interests — landowners, the barge industry, water suppliers, hydropower utilities, environmentalists and recreational users of the waterway, notably on upriver reservoirs. Regulating the river's levels comes through the Corps' management of discharges from a half-dozen large upstream reservoirs, each meant to hold snowmelt and other excess water during the spring before the Corps gradually releases it the rest of the year.

In court filings, the federal government argues that authorities never promised to stop all flooding along the 2,341-mile-long Missouri River, which flows into the Mississippi River north of St. Louis. The Corps, which has said it is required by Congress and the courts to act in the river's best interest, maintains that providing habitat for endangered species didn't exacerbate the inundation six years ago — a claim echoed by a top Midwest volunteer for the Sierra Club.

The trial started last week. The Corps typically does not comment publicly about litigation, and it didn't reply to recent messages by The Associated Press.

Outside experts who reviewed the 2011 flooding said the Corps did the best it could in dealing with record amounts of water that flowed into the river after unusually heavy spring rain in Montana and North Dakota.

That flooding lasted more than three months after the Corps began releasing massive amounts of water from swollen upstream reservoirs. It overwhelmed levees, carved gouges up to 50 feet deep, created sand dunes 15-feet-high, deposited debris in farmers' fields and devastated hundreds of thousands of acres of mostly farmland in South Dakota, Nebraska, Iowa, Kansas and Missouri.

Caroline Pufalt, the St. Louis-based chairwoman of the Sierra Club's Missouri River Network, said blaming the Corps on environmental grounds is "a red herring," and that while the Corps may make decisions in the interest of habitat, such actions are rare.

Pufalt said the Corps did the best it could six years ago, given "unusual circumstances" involving so much water in the Missouri River system.

"These floods were kind of unavoidable," Pufalt said. "The folks who have filed this lawsuit mistakenly think there's some magic thing the Corps can do, given the current river, that will take away their flood risk, and that's not going to happen."

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WYOMING:

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By Casey Coffee

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• Extends and funds the Veterans Choice Program to ensure that every eligible veteran continues to have the choice to seek care at VA or through a private provider. Without action, this critical program will expire in August 2017, which would result in veterans having fewer choices of where to receive care.

• Supports VA programs that provide services to homeless and at-risk veterans and their families

to help keep them safe and sheltered.
• Provides access to education benefits, enhanced services, and other programs to assist veterans' transition to civilian life. VA partners with other agencies to provide critical training, support services, and counseling throughout a veteran's transition and their post-military career.
40 Department of Veterans Affairs
• Continues critical investments aimed at optimizing productivity and transforming VA's claims processes. Provides resources to reduce the time required to process and adjudicate veterans' disability compensation claims.
• Invests in information technology to improve the efficiency and efficacy of VA services. Provides sufficient funding for sustainment, development, and modernization initiatives that would improve the quality of services provided to veterans and avoid the costs of maintaining outdated, inefficient systems.
FEMA MONEY FOR MITIGATION
• Eliminates or reduces State and local grant funding by $667 million for programs administered by the Federal Emergency Management Agency (FEMA) that are either unauthorized by the Congress, such as FEMA's Pre-Disaster Mitigation Grant Program, or that must provide more measurable results and ensure the Federal Government is not supplanting other stakeholders' responsibilities, such as the Homeland Security Grant Program. For that reason, the Budget also proposes establishing a 25 percent non-Federal cost match for FEMA preparedness grant awards that currently require no cost match. This is the same cost-sharing approach as FEMA's disaster recovery grants. The activities and acquisitions funded through these grant programs are primarily State and local functions.
*Colorado Springs applied for this grant last year: FEMA Pre Disaster Mitigation (PDM) Fiscal Year 2016: Sub-applications Identified for Further Review:
Colorado Springs Fire Department: Colorado Springs Wildfire Mitigation Project
Mitigating hazardous fuels in open spaces adjacent to neighborhood communities with wildfire risk. The work will consist of thinning dead and diseased trees and brush, removing oak brush and small diameter trees from under pines, pruning trees along trails and roads, and separating clumps of oak brush through thinning and removal.
AIRPORT FUNDING
Eliminates funding for the Essential Air Service (EAS) program, which was originally conceived of as a temporary program nearly 40 years ago to provide subsidized commercial air service to rural airports. EAS flights are not full and have high subsidy costs per passenger. Several EAS-eligible communities are relatively close to major airports, and communities that have EAS could be served by other existing modes of transportation. This proposal would result in a discretionary savings of $175 million from the 2017 annualized CR level.

MONTANA:

NORTH DAKOTA:

Flood insurance is only reasonable choice

Editorials , Minot Daily News
Mar 17, 2017

It is entirely possible that Minot will go years, decades even, without another devastating flood event such as that of 2011. It is entirely possible that flood protection for the Minot region is put in place by then and helps stave off a devastating flood event. If there is one thing everyone in Minot can agree on it is a desire to never have to deal with serious flooding again.

However, would you want to bet everything you have on a flood not happening again?

Effectively that is what people who live in the current flood zone or who anticipate that they will live in the still developing updated flood zone will do if they opt not to acquire flood insurance.

The threat of a flood in Minot is not like threats in some other communities. It isn't a distant, conceptual worry. It is an existential threat, particularly to those for whom the 2011 flood is still a visceral memory. Flood insurance isn't for enhanced piece of mind… like, say, renters insurance. Instead, it really is the only rational choice.

Proponents made the case earlier this week in Minot, and they made a strong case. Right now, flood insurance is generally pretty affordable. It is not going to stay that way. Getting in position to have one's rate grandfathered when the new rates are established only makes sense.

Had more people been insured in 2011, the overall economic impact of the flood would have been lessened.

Sometimes common sense doesn't require a study to confirm it. If you live adjacent to a body of water that fluctuates, one should probably be prepared for potential flooding.

Flood insurance makes common sense.

Let's be smart and take a good hard look at protecting ourselves.

Minot City Council Approves $1.85 Million Grant

Associated Press, March 16, 2017

MINOT, N.D. (AP) — The renovation of an apartment building in southeast Minot is moving forward as the first major project of the city's National Disaster Resilience Program.

The City Council approved a $1.85 million grant to rehabilitate the existing 35-unit building and add five more units, the Minot Daily News (http://bit.ly/2m5w7m0) reported. Park South Apartments will be required to offer 30 of its units at affordable rents for 30 years and four handicap accessible units.

"We should feel a great satisfaction to be able to provide quality, affordable housing with this program," said Bruce Walker, a principal in the property's nonprofit owner, Essential Living. "We feel this project is part of the long-term solution in Minot for affordable housing."

He said building renovations will include a new heating system, an elevator and stormwater management. The property, which was built in 1948 as a convent, includes an additional five acres that will be saved for future construction of affordable housing when needed.

The Department of Housing and Urban Development awarded Minot a $74 million National Disaster Resilience Grant last year to help with recovery from the 2011 Souris River flood.

City Manager Tom Barry said the resilience program aims to use $21 million of the grant available for multi-family housing to create 183 affordable rental units.

Information from: Minot Daily News, http://www.minotdailynews.com

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US taxpayers might be on the hook for pipeline protest costs

- By BLAKE NICHOLSON Associated Press
- Mar 16, 2017 Updated 19 hrs ago

BISMARCK, N.D. (AP) — North Dakota officials appear poised to go after the U.S. government — and thus U.S. taxpayers — to recoup more than $38 million in state expenses related to months of protests against the Dakota Access pipeline, though a longstanding offer from the project's developer to pay up is still on the table.

One taxpayer watchdog group questions why the state isn't jumping at the offer from Dallas-based Energy Transfer Partners, a company worth billions of dollars.

"You take the money when you can get it," said Dustin Gawrylow, managing director of the North Dakota Watchdog Network, which keeps tabs on how public money is spent.

The matter might not be that simple. Common Cause, a nonpartisan group that promotes government accountability, says accepting money from a private-sector business in an industry it regulates would present the state with an ethical dilemma.

Pipeline opponents have long accused the state of being too cozy with ETP, and if the state takes the company's money "it certainly would lend credence to those arguments," said Joye Braun, a protest leader.

"For Energy Transfer to offer a donation, basically that's paying off the state for using state resources as personal security," she said.

Gawrylow said ETP's offer, while it would help the state, might be more marketing than generosity.

"They're not spending it out of the goodness of their heart. They're spending it to build goodwill in North Dakota" after months of upheaval, he said.

Work is wrapping up on the $3.8 billion pipeline to move North Dakota oil 1,200 miles to a shipping point in Illinois, and oil could be flowing as early as Monday despite an ongoing legal challenge by Sioux tribes who fear the project could affect their water supply — a claim ETP rejects.

The saga has endured for months, with hundreds and sometimes thousands of pipeline opponents camping on federal land near the drill site and often clashing with police. About 750 arrests were made between early August and late February, when camps on property managed by the Corps were shut down in advance of spring flooding season.

State officials have not been clear on why they haven't accepted ETP's offer, first made in the fall.

"The governor hasn't said whether the state will or won't seek reimbursement from ETP, only that all options are on the table," Mike Nowatzki, spokesman for Republican Gov. Doug Burgum, said.

State Budget Director Pam Sharp told The Associated Press that nothing in state law would prevent North Dakota from accepting such a donation, and that it's happened before, though not in such a sizable amount. For example, smaller private donations have been made to the state-operated North Dakota Veterans Home, she said.

Both Nowatzki and ETP spokeswoman Vicki Granado said they weren't aware of any discussions between state officials and ETP. But, Nowatzki said, "the governor's office has been in discussions with both the U.S. Army Corps of Engineers and White House officials to emphasize the state's position that federal reimbursement is warranted."

U.S. Sen. John Hoeven, a Republican from North Dakota, said his office also is working to get the Corps to reimburse protest-related state costs.

State Attorney General Wayne Stenehjem has publicly broached the idea of suing the federal government. He didn't respond to requests for comment.

The state Emergency Commission late last year approved borrowing $17 million to cover the costs, and the first bill Burgum signed as governor after taking office in January authorized an additional $8 million. But the cost has surpassed the approved total by $13 million, and officials plan to ask the Legislature for more money, state Emergency Services spokeswoman Cecily Fong said.

"I would be very surprised if the Legislature does not cover the full cost," said Republican state Rep. Jeff Delzer, chairman of the House Appropriations Committee.

Nowatzki said Burgum's chief concern "is ensuring that North Dakota taxpayers alone don't foot the bill."

Accepting money from ETP would be a risky way of doing that, according to Paul S. Ryan, vice president of litigation and public policy for Common Cause.

"One would reasonably question whether the state could in an unbiased way regulate ETP if it is receiving tens of millions of dollars in cold hard cash from ETP," he said.

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SOUTH DAKOTA:

Army Corps on trial over Missouri River flooding complaint

- JIM SUHR Associated Press
- Mar 16, 2017 Updated Mar 16, 2017

KANSAS CITY, Mo. | The U.S. Army Corps of Engineers is defending itself at trial against more than 300 farmers and other landowners who say the agency's management of the Missouri River has contributed to major flooding in five states, most notably 2011 flooding that caused billions of dollars in damage.

The lawsuit, filed in 2014 in the U.S. Court of Federal Claims, argues that the Corps has altered its practices regarding the river's water storage, release and flow management since the mid-2000s, de-emphasizing flood control while pushing to restore habitat for endangered species. It contends that the Corps unconstitutionally deprived plaintiffs of their land, essentially taking it without compensation.

Although the lawsuit doesn't specify the amount of damages being sought, the landowners' attorney has said it could exceed $250 million. The plaintiffs believe case law is on their side, given a U.S. Supreme Court ruling in December 2012 that the federal government is not automatically exempt from paying for damage caused by temporary flooding from its dams.

The case, which isn't expected to be decided until this summer at the earliest, reflects longstanding debate about the Corps' management of the river as the agency tries to strike a balance among competing interests — landowners, the barge industry, water suppliers, hydropower utilities, environmentalists and recreational users of the waterway, notably on upriver reservoirs. Regulating the river's levels comes through the Corps' management of discharges from a half-dozen large upstream reservoirs, each meant to hold snowmelt and other excess water during the spring before the Corps gradually releases it the rest of the year.

In court filings, the federal government argues that authorities never promised to stop all flooding along the 2,341-mile-long Missouri River, which flows into the Mississippi River north of St. Louis. The Corps, which has said it is required by Congress and the courts to act in the river's best interest, maintains that providing habitat for endangered species didn't exacerbate the inundation six years ago — a claim echoed by a top Midwest volunteer for the Sierra Club.

The trial started last week. The Corps typically does not comment publicly about litigation, and it didn't reply to recent messages by The Associated Press.

Outside experts who reviewed the 2011 flooding said the Corps did the best it could in dealing with record amounts of water that flowed into the river after unusually heavy spring rain in Montana and North Dakota.

That flooding lasted more than three months after the Corps began releasing massive amounts of water from swollen upstream reservoirs. It overwhelmed levees, carved gouges up to 50 feet deep, created sand dunes 15-feet-high, deposited debris in farmers' fields and devastated hundreds of thousands of acres of mostly farmland in South Dakota, Nebraska, Iowa, Kansas and Missouri.

Caroline Pufalt, the St. Louis-based chairwoman of the Sierra Club's Missouri River Network, said blaming the Corps on environmental grounds is "a red herring," and that while the Corps may make decisions in the interest of habitat, such actions are rare.

Pufalt said the Corps did the best it could six years ago, given "unusual circumstances" involving so much water in the Missouri River system.

"These floods were kind of unavoidable," Pufalt said. "The folks who have filed this lawsuit mistakenly think there's some magic thing the Corps can do, given the current river, that will take away their flood risk, and that's not going to happen."

UTAH:

WYOMING:

FEMA-RELATED STORIES:

From: MacRoberts ii, Paul Brooks
To: Rivera, Luisa
Cc: Ulrick, Brannen
Subject: FW: FOIA 2017-FEFO-01512
Date: Tuesday, April 11, 2017 9:47:20 AM

Thanks Luisa!

Sent from my iFEMA mobile device.

From: DiPaolo, Elizabeth
Sent: Wednesday, April 5, 2017 8:39:35 AM
To: MacRoberts ii, Paul Brooks; Ulrick, Brannen; Morse, Trena
Subject: RE: FOIA 2017-FEFO-01512

Same here, got nothing else…

Elizabeth DiPaolo
Mass Care Specialist FEMA Region VIII
Elizabeth.dipaolo@fema.dhs.gov
303-386-6452 C
303-235-4724 O
303-332-6336 C

From: MacRoberts ii, Paul Brooks
Sent: Wednesday, April 05, 2017 8:31 AM
To: Ulrick, Brannen <Brannen.Ulrick@fema.dhs.gov>; Morse, Trena <Trena.Morse@fema.dhs.gov>
Cc: DiPaolo, Elizabeth <elizabeth.dipaolo@fema.dhs.gov>
Subject: FOIA 2017-FEFO-01512

Only thing I have, and not sure if it counts?

Sent with Good (www.good.com)

From: DiPaolo, Elizabeth
Sent: Friday, March 24, 2017 9:24:57 AM
To: Phillips, Leigh-Andrea
Cc: MacRoberts ii, Paul Brooks
Subject: RE: Dakota Pipeline

Ok thanks yes if you get specific dates that would be helpful. But we are pretty sure that there was no voluntary agency involvement due to the political tone of the event. But we will definitely make 100% sure before committing to that. Thanks!

Elizabeth DiPaolo
Mass Care Specialist FEMA Region VIII
Elizabeth.dipaolo@fema.dhs.gov
303-386-6452 C
303-235-4724 O
303-332-6336 C

From: Phillips, Leigh-Andrea
Sent: Friday, March 24, 2017 9:23 AM
To: DiPaolo, Elizabeth <elizabeth.dipaolo@fema.dhs.gov>
Cc: MacRoberts ii, Paul Brooks <paul.macrobertsii@fema.dhs.gov>
Subject: RE: Dakota Pipeline

I'm unsure of the dates until we get the request. It goes back to the keystone pipeline activity around Standing Rock so I'm not really sure what they are asking for until we get the request. If you need to wait until we get it, that's fine.

Leigh-Andrea Phillips
FEMA Region VIII
Recovery Division
Desk (303) 235-4657
Mobile (720) 398-7531

From: DiPaolo, Elizabeth
Sent: Friday, March 24, 2017 9:19 AM
To: Phillips, Leigh-Andrea <Leigh-Andrea.Phillips@fema.dhs.gov>
Cc: MacRoberts ii, Paul Brooks <paul.macrobertsii@fema.dhs.gov>
Subject: RE: Dakota Pipeline

Hi Leigh, can you give us more info? When are they asking for? Something that happened previously and if so, what dates? Or projecting an event next week? thanks

Elizabeth DiPaolo
Mass Care Specialist FEMA Region VIII
Elizabeth.dipaolo@fema.dhs.gov
303-386-6452 C
303-235-4724 O
303-332-6336 C

From: Phillips, Leigh-Andrea
Sent: Friday, March 24, 2017 8:10 AM

To: DiPaolo, Elizabeth <elizabeth.dipaolo@fema.dhs.gov>; MacRoberts ii, Paul Brooks <paul.macrobertsii@fema.dhs.gov>
Subject: Dakota Pipeline

Morning!
We are expecting a request from ND for the Dakota Pipeline next week. Can you get the usual info for the RVAR for volunteer organizations?

Thanks!!

Leigh-Andrea Phillips
FEMA Region VIII
Recovery Division
Desk (303) 235-4657
Mobile (720) 398-7531

From: Schulz, Cody J.
Sent: 24 Mar 2017 16:40:52 +0000
To: Bush, Tom
Cc: Wilz, Greg M.
Subject: RE: ND Request
Attachments: PDA Letter DRAFT - 2017-3-23.docx, DAPL Presidential Major Disaster Declaration Request - DRAFT - 2017-3-23.docx

Tom,

Attached are the DRAFTs of the PDA request and Dec request. Please understand that these are drafts only and they are pre-decisional, meaning that appointed and elected political leadership is still considering whether or not to submit. If you have any questions or see any issues with the drafts please let me know.

Thanks,

Cody Schulz
Disaster Recovery Chief
ND Department of Emergency Services
Office: 701-328-8256
Fax: 701-328-8181
cjschulz@nd.gov

From: Bush, Tom [mailto:Tom.Bush@fema.dhs.gov]
Sent: Friday, March 24, 2017 10:29 AM
To: Schulz, Cody J. <cjschulz@nd.gov>
Subject: ND Request

CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Would you mind sending me the draft request for the pipeline? We are trying to get a start on crafting the paperwork we need to send to DC.

Thanks

Tom Bush
Public Assistance Branch Chief
Recovery Division
FEMA Region VIII

303-235-4860 (Desk)

303-941-3998 (Cell)

March 23, 2017

Ms. Nancy Dragani, Acting Regional Administrator
U.S. Department of Homeland Security
Federal Emergency Management Agency, Region VIII
Denver Federal Center, Building 710
Denver, CO 80225-0267

Attn: Mr. Tom Carroll, Response and Recovery Division Director

Dear Ms. Dragani:

As documented in reports issued by the North Dakota Department of Emergency Services and covered broadly in local, regional, and national media; the State of North Dakota experienced protests that included numerous riots, vandalism, property crimes, trespassing, as well as the use firearms and explosives. This incident began on August 10, 2016 and concluded on March 21, 2017.

In response to the crisis created by the DAPL protest, the Morton County Commission issued an emergency declaration on August 15, 2016. Other adjoining jurisdictions also followed suit; Sioux County on February 24, 2017, and Emmons County on February 27, 2017. My predecessor, the Honorable Jack Dalrymple, issued Executive Order 2016-04 on August 19, 2016, proclaiming an emergency, thereby enacting utilization of the State Emergency Operations Plan.

State and local jurisdictions were called upon to provide law enforcement and public safety personnel and assets to deal with often combative and violent protests and riots. The resources required for a nearly eight month response has been unprecedented and are of such severity and magnitude that effective response was beyond the capabilities of the State and affected local governments. Significant federal interests and responsibility for the start and continuation of the protest requires supplementary Federal assistance to mitigate the disproportionate expense experienced by local governments and the State of North Dakota.

State and local officials have conducted initial assessments to include the following jurisdictions: Emmons, Morton, and Sioux Counties. Based on the results of these initial damage assessments, I request the U.S. Department of Homeland Security, FEMA Region VIII, provide a team to assist us in conducting a Preliminary Damage Assessment (PDA) for the Public Assistance Program, scheduled to begin the week of April 3, 2017.

I reserve the right to add additional counties and tribal nations as damages become known. My point of contact for arranging details of this assessment is Greg Wilz, Director of Homeland Security, 701-328-8100.

Sincerely,

Doug Burgum
Governor

cc:
MG Alan Dohrmann, Director, NDDES
Greg Wilz, Deputy Director, NDDES
Cody Schulz, Disaster Recovery Chief, NDDES

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of the Freedom of Information and Privacy Act

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of the Freedom of Information and Privacy Act

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of the Freedom of Information and Privacy Act

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(b)(5)

of the Freedom of Information and Privacy Act

From: Bush, Tom
Sent: 8 Feb 2017 23:05:40 +0000
To: (b)(6) @msudenver.edu
Subject: Dakota pipeline

NORTH DAKOTA:

Corps to issue DAPL easement as soon as Wednesday afternoon

- CAROLINE GRUESKIN Bismarck Tribune
- 20 hrs ago

The U.S. Army Corps of Engineers has finished its review of the Dakota Access Pipeline and will issue an easement under the Missouri River/Lake Oahe as early as Wednesday afternoon, but the Standing Rock Sioux Tribe has pledged to challenge the decision in court.

The decision comes two weeks after President Donald Trump asked federal agencies to speed up their review of the crude oil pipeline that tribal and environmental activists have protested for months.

In a memo called "Compliance with Presidential Memorandum" and dated Tuesday, a senior Army Civil Works official said he reviewed all the corps study of the pipeline and decided the easement was warranted.

"I have determined that there is no cause for completing any additional environmental analysis," wrote Douglas Lamont, senior official performing the duties of the assistant secretary of the army (Civil Works) in a court filing.

Lamont said his analysis justified reversing an earlier decision made under the Obama administration to explore alternative routes and conduct a full environmental impact statement. A notice terminating the study will be published in the Federal Register, according to filings in the federal court case between the Standing Rock Sioux Tribe and the corps.

Deputy Assistant Army Secretary Paul Cramer notified Congress Tuesday that the corps would grant the easement and waive its normal policy of waiting two weeks after notifying Congress to do so.

The $3.8 billion crude oil pipeline, meant to carry oil from the Bakken to Illinois, has been at a standstill for months due to protests and court challenges from the Standing Rock Sioux Tribe and its Native American and environmentalist allies. The tribe worries the pipeline puts its drinking water and sacred sites at risk. The company has said it is safe.

On Jan. 18, the corps began collecting public comment for a full environmental impact statement regarding the pipeline easement. Shortly after assuming office, Trump signed a memorandum directing the agency to expedite its review.

Lawyers for the company reportedly said in court Monday that construction would be completed in about 60 days and oil could be flowing in about 83. An spokeswoman for pipeline developer Energy Transfer Partners did not respond to an emailed request for comment on Tuesday.

Following the decision, the Standing Rock said the tribe planned to sue on the grounds the EIS was wrongfully terminated.

“The Obama administration correctly found that the Tribe’s treaty rights must be respected and that the easement should not be granted without further review and consideration of alternative crossing locations," Hasselman said. "Trump’s reversal of that decision continues a historic pattern of broken promises to Indian tribes and a violation of treaty rights."

Standing Rock Tribal Chairman Dave Archambault II said, "The Trump administration — yet again — is poised to set a precedent that defies the law and the will of Americans and our allies around the world."

The tribe also plans to hold a march in Washington on March 10 and will "seek to shut the pipeline operations down" if it is constructed, according to a release.

Archambault is again asking supporters to advocate from home and not return to protest in North Dakota, where the state and tribe have been working to clean up the protest camps where several hundred people still live and protest the pipeline.

"Please respect our people and do not come to Standing Rock and instead exercise your First Amendment rights and take this fight to your respective state capitols, to your members of Congress and to Washington, D.C.," he said.

Protest organizers are calling for supporters to protest Wednesday in a "#NoDAPL Last Stand" at their local federal buildings, corps offices and banks financing the pipeline.

"The granting of an easement, without any environmental review or tribal consultation, is not the end of this fight — it is the new beginning," Tom Goldtooth, executive director of the Indigenous Environmental Network, said in a statement. "Expect mass resistance far beyond what Trump has seen so far."

State leaders quickly applauded the Army's decision, heralding it as a win for energy infrastructure and expressing hope it would bring about the end of months-long protests in southern Morton County.

"Our nation needs new energy infrastructure, which means we must have a process to build safe, efficient and environmentally sound projects like pipelines and power lines," Sen. John Hoeven, R-N.D., said in a statement.

Hoeven also said he supports a review of the permitting process for future projects to ensure fairness and opportunity to be heard on all sides.

"For the North Dakota families, workers and tribes who have felt the impact of the Dakota Access Pipeline conflict every day — today's announcement by the U.S. Army Corps of Engineers brings this issue one step closer to final resolution — and delivers the certainty and clarity I've been demanding," Sen. Heidi Heitkamp, D-N.D., said in a statement.

Gov. Doug Burgum called the easement a "step toward the completion of this important infrastructure project" but said his top priority remained public safety and cleanup of the protest camps before a potential spring flood.

"We continue to support the Standing Rock Sioux Tribe's request that protesters leave the area and go home. We also continue to ask for additional federal law enforcement to assist local and state authorities in peacekeeping and provide a safe environment for all North Dakotans until construction is completed," Burgum said.

Reach Caroline Grueskin at 701-250-8225 or at caroline.grueskin@bismarcktribune.com

Tom Bush
Public Assistance Branch Chief
Recovery Division
FEMA Region VIII

303-235-4860 (Desk)
303-941-3998 (Cell)

From: DeFelice, Jerome
Sent: 17 Mar 2017 12:36:52 -0400
To: R8 ALL PFTs-CORES
Cc: (b)(6) (b)(6)@state.co.us;(b)(6)@mail.mil;(b)(6)@mail.mil(b)(6)@nd.gov;(b)(6)@state.sd.us;(b)(6)@state.sd.us(b)(6)@utah.gov(b)(6)@wyo.gov;(b)(6)@acf.hhs.gov(b)(6)@usace.army.mil;(b)(6)@usace.army.mil;(b)(6)@state.mn.us;Peterson, Mark J(b)(6)@hhs.gov(b)(6)@hhs.gov(b)(6)@hhs.gov(b)(6)@sba.gov;(b)(6)@sba.gov;Nelson, Jason(b)(6)@fs.fed.us;Alexander, Daniel;(b)(6)@atf.gov;(b)(6)@aveshka.com;Carlson-Sherbo, Diana
Subject: Region VIII News Clips, Friday, March 17
Attachments: R8 Clips 03-17-17.docx

Region VIII Clips

Friday, March 17, 2017

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You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

STORIES

COLORADO:

Trump Preview Budget Revealed

By Casey Coffee
KRDO-TV Colorado Springs (CO), March 16, 2017

WASHINGTON, DC – President Trump has released his preliminary budget. The 62 page outline is called "America First – A Budget Blueprint to Make America Great Again."

You can find the entire document HERE

There are several budget items that could impact Colorado Springs, Southern Colorado, and military installations in our area.

There are also items that impact the Veterans Administration, FEMA funds for mitigation, and funding for rural airports.

ARMY/AIR FORCE

• Strengthens the U.S. Army by rebuilding readiness, reversing end strength reductions, and preparing for future challenges. This Budget is an initial step toward restoring an Army that has been stressed by high operational demand and constrained funding levels in recent years.

• Accelerates Air Force efforts to improve tactical air fleet readiness, ensure technical superiority,

and repair aging infrastructure. Key investments in maintenance capacity, training systems,

and additional F-35 Joint Strike Fighters would enable the Air Force, which is now the smallest it has been in history, to counter the growing number of complex threats from sophisticated state actors and transnational terrorist groups.

VA ADMIN

• Ensures the Nation's veterans receive high-quality health care and timely access to benefits and services. An estimated 11 million veterans participate in VA programs. This Budget provides the resources necessary to ensure veterans receive the care and support earned through their service to the Nation.

• Provides a $4.6 billion increase in discretionary funding for VA health care to improve patient access and timeliness of medical care services for over nine million enrolled veterans. This funding would enable the Department to provide a broad range of primary care, specialized care, and related medical and social support services to enrolled veterans, including services that are uniquely related to veterans' health and special needs.

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40 Department of Veterans Affairs

• Continues critical investments aimed at optimizing productivity and transforming VA's claims processes. Provides resources to reduce the time required to process and adjudicate veterans' disability compensation claims.

• Invests in information technology to improve the efficiency and efficacy of VA services. Provides sufficient funding for sustainment, development, and modernization initiatives that would improve the quality of services provided to veterans and avoid the costs of maintaining outdated, inefficient systems.

FEMA MONEY FOR MITIGATION

• Eliminates or reduces State and local grant funding by $667 million for programs administered by the Federal Emergency Management Agency (FEMA) that are either unauthorized by the Congress, such as FEMA's Pre-Disaster Mitigation Grant Program, or that must provide more measurable results and ensure the Federal Government is not supplanting other stakeholders' responsibilities, such as the Homeland Security Grant Program. For that reason, the Budget also proposes establishing a 25 percent non-Federal cost match for FEMA preparedness grant awards that currently require no cost match. This is the same cost-sharing approach as FEMA's disaster recovery grants. The activities and acquisitions funded through these grant programs are primarily State and local functions.

*Colorado Springs applied for this grant last year: FEMA Pre Disaster Mitigation (PDM) Fiscal Year 2016: Sub-applications Identified for Further Review:

Colorado Springs Fire Department: Colorado Springs Wildfire Mitigation Project

Mitigating hazardous fuels in open spaces adjacent to neighborhood communities with wildfire risk. The work will consist of thinning dead and diseased trees and brush, removing oak brush and small diameter trees from under pines, pruning trees along trails and roads, and separating clumps of oak brush through thinning and removal.

AIRPORT FUNDING

Eliminates funding for the Essential Air Service (EAS) program, which was originally conceived

of as a temporary program nearly 40 years ago to provide subsidized commercial air service to rural airports. EAS flights are not full and have high subsidy costs per passenger. Several EAS-eligible communities are relatively close to major airports, and communities that have EAS could be served by other existing modes of transportation. This proposal would result in a discretionary savings of $175 million from the 2017 annualized CR level.

MONTANA:

NORTH DAKOTA:

Flood insurance is only reasonable choice

Editorials , Minot Daily News
Mar 17, 2017

It is entirely possible that Minot will go years, decades even, without another devastating flood event such as that of 2011. It is entirely possible that flood protection for the Minot region is put in place by then and helps stave off a devastating flood event. If there is one thing everyone in Minot can agree on it is a desire to never have to deal with serious flooding again.

However, would you want to bet everything you have on a flood not happening again?

Effectively that is what people who live in the current flood zone or who anticipate that they will live in the still developing updated flood zone will do if they opt not to acquire flood insurance.

The threat of a flood in Minot is not like threats in some other communities. It isn't a distant, conceptual worry. It is an existential threat, particularly to those for whom the 2011 flood is still a visceral memory. Flood insurance isn't for enhanced piece of mind… like, say, renters insurance. Instead, it really is the only rational choice.

Proponents made the case earlier this week in Minot, and they made a strong case. Right now, flood insurance is generally pretty affordable. It is not going to stay that way. Getting in position to have one's rate grandfathered when the new rates are established only makes sense.

Had more people been insured in 2011, the overall economic impact of the flood would have been lessened.

Sometimes common sense doesn't require a study to confirm it. If you live adjacent to a body of water that fluctuates, one should probably be prepared for potential flooding.

Flood insurance makes common sense.

Let's be smart and take a good hard look at protecting ourselves.

Minot City Council Approves $1.85 Million Grant

Associated Press, March 16, 2017

MINOT, N.D. (AP) — The renovation of an apartment building in southeast Minot is moving forward as the first major project of the city's National Disaster Resilience Program.

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"We should feel a great satisfaction to be able to provide quality, affordable housing with this program," said Bruce Walker, a principal in the property's nonprofit owner, Essential Living. "We feel this project is part of the long-term solution in Minot for affordable housing."

He said building renovations will include a new heating system, an elevator and stormwater management. The property, which was built in 1948 as a convent, includes an additional five acres that will be saved for future construction of affordable housing when needed.

The Department of Housing and Urban Development awarded Minot a $74 million National Disaster Resilience Grant last year to help with recovery from the 2011 Souris River flood.

City Manager Tom Barry said the resilience program aims to use $21 million of the grant available for multi-family housing to create 183 affordable rental units.

Information from: Minot Daily News, http://www.minotdailynews.com

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US taxpayers might be on the hook for pipeline protest costs

- By BLAKE NICHOLSON Associated Press
- Mar 16, 2017 Updated 19 hrs ago

BISMARCK, N.D. (AP) — North Dakota officials appear poised to go after the U.S. government — and thus U.S. taxpayers — to recoup more than $38 million in state expenses related to months of protests against the Dakota Access pipeline, though a longstanding offer from the project's developer to pay up is still on the table.

One taxpayer watchdog group questions why the state isn't jumping at the offer from Dallas-based Energy Transfer Partners, a company worth billions of dollars.

"You take the money when you can get it," said Dustin Gawrylow, managing director of the North Dakota Watchdog Network, which keeps tabs on how public money is spent.

The matter might not be that simple. Common Cause, a nonpartisan group that promotes government accountability, says accepting money from a private-sector business in an industry it regulates would present the state with an ethical dilemma.

Pipeline opponents have long accused the state of being too cozy with ETP, and if the state takes the company's money "it certainly would lend credence to those arguments," said Joye Braun, a protest leader.

"For Energy Transfer to offer a donation, basically that's paying off the state for using state resources as personal security," she said.

Gawrylow said ETP's offer, while it would help the state, might be more marketing than generosity.

"They're not spending it out of the goodness of their heart. They're spending it to build goodwill in North Dakota" after months of upheaval, he said.

Work is wrapping up on the $3.8 billion pipeline to move North Dakota oil 1,200 miles to a shipping point in Illinois, and oil could be flowing as early as Monday despite an ongoing legal challenge by Sioux tribes who fear the project could affect their water supply — a claim ETP rejects.

The saga has endured for months, with hundreds and sometimes thousands of pipeline opponents camping on federal land near the drill site and often clashing with police. About 750 arrests were made between early August and late February, when camps on property managed by the Corps were shut down in advance of spring flooding season.

State officials have not been clear on why they haven't accepted ETP's offer, first made in the fall.

"The governor hasn't said whether the state will or won't seek reimbursement from ETP, only that all options are on the table," Mike Nowatzki, spokesman for Republican Gov. Doug Burgum, said.

State Budget Director Pam Sharp told The Associated Press that nothing in state law would prevent North Dakota from accepting such a donation, and that it's happened before, though not in such a sizable amount. For example, smaller private donations have been made to the state-operated North Dakota Veterans Home, she said.

Both Nowatzki and ETP spokeswoman Vicki Granado said they weren't aware of any discussions between state officials and ETP. But, Nowatzki said, "the governor's office has been in discussions with both the U.S. Army Corps of Engineers and White House officials to emphasize the state's position that federal reimbursement is warranted."

U.S. Sen. John Hoeven, a Republican from North Dakota, said his office also is working to get the Corps to reimburse protest-related state costs.

State Attorney General Wayne Stenehjem has publicly broached the idea of suing the federal government. He didn't respond to requests for comment.

The state Emergency Commission late last year approved borrowing $17 million to cover the costs, and the first bill Burgum signed as governor after taking office in January authorized an additional $8 million. But the cost has surpassed the approved total by $13 million, and officials plan to ask the Legislature for more money, state Emergency Services spokeswoman Cecily Fong said.

"I would be very surprised if the Legislature does not cover the full cost," said Republican state Rep. Jeff Delzer, chairman of the House Appropriations Committee.

Nowatzki said Burgum's chief concern "is ensuring that North Dakota taxpayers alone don't foot the bill."

Accepting money from ETP would be a risky way of doing that, according to Paul S. Ryan, vice president of litigation and public policy for Common Cause.

"One would reasonably question whether the state could in an unbiased way regulate ETP if it is receiving tens of millions of dollars in cold hard cash from ETP," he said.

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SOUTH DAKOTA:

Army Corps on trial over Missouri River flooding complaint

- JIM SUHR Associated Press
- Mar 16, 2017 Updated Mar 16, 2017

KANSAS CITY, Mo. | The U.S. Army Corps of Engineers is defending itself at trial against more than 300 farmers and other landowners who say the agency's management of the Missouri River has contributed to major flooding in five states, most notably 2011 flooding that caused billions of dollars in damage.

The lawsuit, filed in 2014 in the U.S. Court of Federal Claims, argues that the Corps has altered its practices regarding the river's water storage, release and flow management since the mid-2000s, de-emphasizing flood control while pushing to restore habitat for endangered species. It contends that the Corps unconstitutionally deprived plaintiffs of their land, essentially taking it without compensation.

Although the lawsuit doesn't specify the amount of damages being sought, the landowners' attorney has said it could exceed $250 million. The plaintiffs believe case law is on their side, given a U.S. Supreme Court ruling in December 2012 that the federal government is not automatically exempt from paying for damage caused by temporary flooding from its dams.

The case, which isn't expected to be decided until this summer at the earliest, reflects longstanding debate about the Corps' management of the river as the agency tries to strike a balance among competing interests — landowners, the barge industry, water suppliers, hydropower utilities, environmentalists and recreational users of the waterway, notably on upriver reservoirs. Regulating the river's levels comes through the Corps' management of discharges from a half-dozen large upstream reservoirs, each meant to hold snowmelt and other excess water during the spring before the Corps gradually releases it the rest of the year.

In court filings, the federal government argues that authorities never promised to stop all flooding along the 2,341-mile-long Missouri River, which flows into the Mississippi River north of St. Louis. The Corps, which has said it is required by Congress and the courts to act in the river's best interest, maintains that providing habitat for endangered species didn't exacerbate the inundation six years ago — a claim echoed by a top Midwest volunteer for the Sierra Club.

The trial started last week. The Corps typically does not comment publicly about litigation, and it didn't reply to recent messages by The Associated Press.

Outside experts who reviewed the 2011 flooding said the Corps did the best it could in dealing with record amounts of water that flowed into the river after unusually heavy spring rain in Montana and North Dakota.

That flooding lasted more than three months after the Corps began releasing massive amounts of water from swollen upstream reservoirs. It overwhelmed levees, carved gouges up to 50 feet deep, created sand dunes 15-feet-high, deposited debris in farmers' fields and devastated hundreds of thousands of acres of mostly farmland in South Dakota, Nebraska, Iowa, Kansas and Missouri.

Caroline Pufalt, the St. Louis-based chairwoman of the Sierra Club's Missouri River Network, said blaming the Corps on environmental grounds is "a red herring," and that while the Corps may make decisions in the interest of habitat, such actions are rare.

Pufalt said the Corps did the best it could six years ago, given "unusual circumstances" involving so much water in the Missouri River system.

"These floods were kind of unavoidable," Pufalt said. "The folks who have filed this lawsuit mistakenly think there's some magic thing the Corps can do, given the current river, that will take away their flood risk, and that's not going to happen."

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You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

STORIES

COLORADO:

Trump Preview Budget Revealed

By Casey Coffee

KRDO-TV Colorado Springs (CO), March 16, 2017

WASHINGTON, DC – President Trump has released his preliminary budget. The 62 page outline is called "America First – A Budget Blueprint to Make America Great Again."

You can find the entire document HERE

There are several budget items that could impact Colorado Springs, Southern Colorado, and military installations in our area.

There are also items that impact the Veterans Administration, FEMA funds for mitigation, and funding for rural airports.

ARMY/AIR FORCE

• Strengthens the U.S. Army by rebuilding readiness, reversing end strength reductions, and preparing for future challenges. This Budget is an initial step toward restoring an Army that has been stressed by high operational demand and constrained funding levels in recent years.

• Accelerates Air Force efforts to improve tactical air fleet readiness, ensure technical superiority, and repair aging infrastructure. Key investments in maintenance capacity, training systems, and additional F-35 Joint Strike Fighters would enable the Air Force, which is now the smallest it has been in history, to counter the growing number of complex threats from sophisticated state actors and transnational terrorist groups.

VA ADMIN

• Ensures the Nation's veterans receive high-quality health care and timely access to benefits and services. An estimated 11 million veterans participate in VA programs. This Budget provides the resources necessary to ensure veterans receive the care and support earned through their service to the Nation.

• Provides a $4.6 billion increase in discretionary funding for VA health care to improve patient access and timeliness of medical care services for over nine million enrolled veterans. This funding would enable the Department to provide a broad range of primary care, specialized care, and related medical and social support services to enrolled veterans, including services that are uniquely related to veterans' health and special needs.

• Extends and funds the Veterans Choice Program to ensure that every eligible veteran continues to have the choice to seek care at VA or through a private provider. Without action, this critical program will expire in August 2017, which would result in veterans having fewer choices of where to receive care.

• Supports VA programs that provide services to homeless and at-risk veterans and their families

to help keep them safe and sheltered.
• Provides access to education benefits, enhanced services, and other programs to assist veterans' transition to civilian life. VA partners with other agencies to provide critical training, support services, and counseling throughout a veteran's transition and their post-military career.
40 Department of Veterans Affairs
• Continues critical investments aimed at optimizing productivity and transforming VA's claims processes. Provides resources to reduce the time required to process and adjudicate veterans' disability compensation claims.
• Invests in information technology to improve the efficiency and efficacy of VA services. Provides sufficient funding for sustainment, development, and modernization initiatives that would improve the quality of services provided to veterans and avoid the costs of maintaining outdated, inefficient systems.
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• Eliminates or reduces State and local grant funding by $667 million for programs administered by the Federal Emergency Management Agency (FEMA) that are either unauthorized by the Congress, such as FEMA's Pre-Disaster Mitigation Grant Program, or that must provide more measurable results and ensure the Federal Government is not supplanting other stakeholders' responsibilities, such as the Homeland Security Grant Program. For that reason, the Budget also proposes establishing a 25 percent non-Federal cost match for FEMA preparedness grant awards that currently require no cost match. This is the same cost-sharing approach as FEMA's disaster recovery grants. The activities and acquisitions funded through these grant programs are primarily State and local functions.
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- By BLAKE NICHOLSON Associated Press
- Mar 16, 2017 Updated 19 hrs ago

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- JIM SUHR Associated Press
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UTAH:

WYOMING:

FEMA-RELATED STORIES:

From: FEMA-MOC-DENVER
Sent: 7 Feb 2017 15:43:03 -0500
To: R8 FEMA SA Team;Root, Michael;Sterling, Stephen
Subject: USACE to Grant Easement for DAPL, 07 Feb 2017

All,

http://www.kfyrtv.com/content/news/Army-Corps-to-grant-easement-for-DAPL-under-Lake-Oahe-413068983.html

CANNON BALL, N.D. - The U.S. Army Corps of Engineers announced Tuesday they intend to grant an easement to Dakota Access to construct a pipeline under Corps-managed federal land at Lake Oahe.

The agency has also announced that it will not be preparing an Environmental Impact Statement.

Elizabeth Nakai
Operations Watch Officer
Denver MERS Operations Center &
FEMA Alternate Operations Center – West
800-311-7021

From: FEMA-MOC-DENVER
Sent: 10 Apr 2017 11:38:38 +0000
To: DV-MERS Staff;R8 Division Directors
Subject: FW: ~~(U//FOUO)~~ Potential Domestic Terrorist Threats to Multi-State Diamond Pipeline Construction Project
Attachments: ~~(U--FOUO)~~ FAR - Potential Domestic Terrorist Threats to Multi-State Diamond Pipline Construction 04072017.pdf, Inspire Guide issue 5.pdf

From: FEMA-NWC-TMT
Sent: Monday, April 10, 2017 5:33 AM
Subject: ~~(U//FOUO)~~ Potential Domestic Terrorist Threats to Multi-State Diamond Pipeline Construction Project

Please see attached ~~(U//FOUO)~~ Potential Domestic Terrorist Threats to Multi-State Diamond Pipeline Construction Project and ~~(U//FOUO)~~ 5th Issue of AQAP's Inspire Guide.

~~(U//FOUO)~~ Potential Domestic Terrorist Threats to Multi-State Diamond Pipeline Construction Project

~~(U//FOUO)~~ Prepared by the Arkansas State Fusion Center (ASFC), Oklahoma Information Fusion Center (OIFC), Tennessee Fusion Center (TFC), and the DHS Office of Intelligence & Analysis (I&A).

(U) Scope: This Field Analysis Report (FAR) addresses potential threats to the construction of the Diamond Pipeline across Oklahoma, Arkansas, and Tennessee in the coming months. It highlights violent incidents and threats against similar projects; considers potential domestic terrorist targeting, tactics, and weapons; and provides a list of indicators of possible planned violence against this pipeline.* This product is intended to assist government, law enforcement, emergency managers, and private sector security partners in preventing and responding to potential threats during construction of the pipeline.

~~(U//FOUO)~~ 5th Issue of Inspire Guide [DHS I&A]

~~(U//FOUO)~~ Summary: AQAP released the fifth Inspire Guide, titled "The British Parliament Operation in London," on 7 April 2017. AQAP continues to appropriate and critique recent attacks in an effort to encourage sympathizers to conduct simple, achievable attacks by not delaying "to gather the means or procure the most powerful weapon." The group identified symbolism of both the timing and targets as the most important factors of success in the 22 March attack, highlighting the iconic nature of the tourist sites and the Parliament as well as the timing of the prime minister's visit. Of note, the group encourages potentially violent extremists not to focus solely on effective tactics employed recently—probably referencing vehicle ramming and edged weapon attacks—but to consider all options and research the circumstances and simple tactics used in other successful attacks.

Diana L. Judd
Operations Specialist
DHS/FEMA
NWC-TMT

202-212-5307 - Office
diana.judd@fema.dhs.gov

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FIELD ANALYSIS REPORT

Regional Analysis with National Perspective.

7 April 2017

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(U) Key Judgments

- (U//FOUO) DHS and the authoring fusion centers assess the most likely potential domestic terrorist threat to the Diamond Pipeline construction project or associated entities is from environmental rights extremists motivated by resentment over perceived environmental destruction.† While environmental rights extremists have a history of targeting the energy sector, we do not currently possess any credible information regarding possible threats against the Diamond Pipeline or related entities from such actors.

- (U//FOUO) We assess that the second most likely potential domestic terrorist threat to the Diamond Pipeline or associated entities—including law enforcement and private contract security guards—is from militia extremists opposed to government enforcement of eminent domain policies.‡ We do not currently have any credible information regarding possible threats against the Diamond Pipeline or related entities from militia extremists.

- (U//FOUO) We assess that potential attacks against the Diamond Pipeline or related entities would most likely be simple and designed to damage physical infrastructure or equipment by sabotage or arson. Previous attacks against pipelines or related targets have included assaults on law enforcement, private contract security guards, or construction personnel during otherwise lawful

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* (U//FOUO) DHS defines **domestic terrorism** as any act of unlawful violence that is dangerous to human life or potentially destructive of critical infrastructure or key resources committed by a group or individual based and operating entirely within the United States or its territories without direction or inspiration from a foreign terrorist group. This act is a violation of the criminal laws of the United States or of any state or other subdivision of the United States and appears to be intended to intimidate or coerce a civilian population, to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction, assassination, or kidnapping. A domestic terrorist differs from a homegrown violent extremist in that the former is not inspired by and does not take direction from a foreign terrorist group or other foreign power.

† (U//FOUO) DHS defines **environmental rights extremists** as groups or individuals who facilitate or engage in acts of unlawful violence against people, businesses, or government entities perceived to be destroying, degrading, or exploiting the natural environment.

‡ (U//FOUO) DHS defines **militia extremists** as groups or individuals who facilitate or engage in acts of unlawful violence directed at federal, state, or local government officials or infrastructure in response to their belief that the government deliberately is stripping Americans of their freedoms and is attempting to establish a totalitarian regime. These individuals consequently oppose many federal and state authorities' laws and regulations (particularly those related to firearms ownership), and often belong to armed paramilitary groups. They often conduct paramilitary training designed to violently resist perceived government oppression or to violently overthrow the US Government.

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(U) This product contains US person information that has been deemed necessary for the intended recipient to understand, assess, or act on the information provided. It has been highlighted in this document with the label USPER and should be handled in accordance with the recipient's intelligence oversight and/or information handling procedures. Other US person information has been minimized. Should you require the minimized US person information, please contact the I&A Production Branch at IA.PM@hq.dhs.gov, IA.PM@dhs.sgov.gov, or IA.PM@dhs.ic.gov.

protests or criminal trespassing. More complex attacks against pipelines, including those involving improvised explosive devices (IEDs), have historically been rare. We have also seen suspicious photography of critical facilities or personnel associated with pipelines other than Diamond.

(U) The Diamond Pipeline

(U) The 440-mile-long Diamond Pipeline will carry sweet crude oil from ground wells in Cushing, Oklahoma across Arkansas to refineries in Memphis, Tennessee to help increase gasoline, diesel, and jet fuel production in the region. Construction efforts, including land clearing, began in late 2016, with the pipeline anticipated to go operational in late Fall 2017.



(U) Figure 1. Map of planned Diamond Pipeline route.[1]

~~(U//FOUO)~~ Domestic Terrorist Actors and Grievances

~~(U//FOUO)~~ Environmental Rights Extremists: Most Likely Potential Threat

~~(U//FOUO)~~ We assess the primary potential threat of violence against the Diamond Pipeline and related entities is from lone offenders who adhere to environmental rights extremist beliefs and believe violence is justified against such projects due to their perceived harm to the environment.* Previous incidents involving lone offenders committing violent acts against targets associated with similar energy projects suggest that the pipeline and associated entities could be attractive targets for an attack by lone environmental rights extremists. We do not have information indicating environmental rights extremists are planning to attack or violently disrupt the Diamond Pipeline.

- ~~(U//FOUO)~~ Environmental rights extremist attacks tend to be designed to inflict economic damage—rather than to cause physical casualties—against targets perceived as exploiting or harming the environment. Environmental rights extremist actors often claim their actions are morally justifiable in the cause of protecting the environment and condone the use of violent tactics in meeting this objective.[2,3] Environmental rights extremists' motivations for attacks against the Diamond Pipeline construction project would likely be related to concerns that potential fuel spills could result in habitat destruction and pollution of groundwater, according to news media reporting.[4]

~~(U//FOUO)~~ Suspected environmental rights extremist attacks targeting pipelines in 2016 have included arson attacks against construction equipment and manually shutting pipeline valves, resulting in millions of dollars in estimated damages, according to a Department of Energy report and media reporting.[5,6,7]

~~(U//FOUO)~~ Militia Extremists: Second Most Likely Potential Threat

~~(U//FOUO)~~ We assess the next most likely potential threat of violence against the Diamond Pipeline and related entities is from militia extremists. Although militia extremists have only occasionally targeted energy-related

* ~~(U//FOUO)~~ DHS defines a **lone offender** as an individual motivated by one or more violent extremist ideologies who, operating alone, supports or engages in acts of unlawful violence in furtherance of that ideology or ideologies that may involve influence from a larger terrorist organization or foreign actor.

targets, government enforcement efforts related to land use disputes have increasingly become a driver of violence among militia extremists in the past three years.[8] We assess, based on their behavior at these recent events, militia extremists could potentially view limited government enforcement of eminent domain laws in the Diamond Pipeline case with similar animosity, creating a flashpoint for violence targeting law enforcement or other entities associated with pipeline construction, such as private contract security guards. However, we do not have information indicating militia extremists are planning to attack or violently disrupt the Diamond Pipeline.

- (U) Militia extremists have engaged in armed standoffs, threats, and disrupted IED plots targeting law enforcement entities perceived to be enforcers of oppressive government land-use policies, according to media reporting.[9,10]

- (U) Although their capabilities vary, some militia extremists have well-rehearsed paramilitary skills, as well as access to and proficiency using firearms and explosives.[11] As a result, successful violent attacks have the potential to cause mass casualties.

(U) Tactics, Techniques, and Procedures

~~(U//FOUO)~~ No Diamond Pipeline-Related Violence Reported So Far; Suspected Domestic Terrorist Activities Against Similar Projects Offer Potential Lessons

~~(U//FOUO)~~ Natural energy development efforts have long been the focus of peaceful protests. More recently, however, these protest movements have been supported by environmental rights extremists from outside the affected regions, resulting in some instances of violence. While the protests against the Diamond Pipeline project have thus far been peaceful, environmental rights extremists could take advantage of these demonstrations to incite or commit acts of violence.

- ~~(U//FOUO)~~ Since the route-clearing phase of the pipeline project began in Arkansas in fall 2016, crews have reported three incidents involving altercations between land occupants and construction crews, according to an incident report released by a private sector company.[12] In all three incidents, which occurred over the span of several weeks, an armed individual was reported to have verbally threatened crewmembers. While one of the incidents did involve a landowner, the other reported incidents involved disputes with individuals who occupied the property by lease agreement with the landowner. These types of incidents have the potential for escalating into violent clashes with either the crew or law enforcement.

~~(U//FOUO)~~ We assess potential domestic terrorist attacks against the Diamond Pipeline or related entities would likely be simple and primarily aimed at damaging physical infrastructure or equipment by sabotage or arson. Violent acts against similar types of targets have included assaults on law enforcement, private contract security guards, and construction personnel during otherwise lawful protests or criminal trespassing. More complex attacks, including those using IEDs, have historically been rare. We have also seen suspicious photography of critical facilities or personnel associated with pipelines other than Diamond.

~~(U//FOUO)~~ Environmental Rights Extremist Threats to Worksite Personnel and Facilities

~~(U//FOUO)~~ Past incidents involving physical standoffs between the government and groups of individuals who oppose certain policies represent possible actions that domestic terrorists could take to disrupt development of the Diamond Pipeline. Perceived instances of government overreach, eminent domain enforcement actions, and newly designated federal lands have all been confrontation catalysts for violent extremist groups. Highly visible, dramatic episodes involving criminal trespassing events resulting in violence or threats of violence against worksite personnel and law enforcement, as well as tactics to occupy construction facilities, may be incorporated into the future operational plans of groups opposed to the Diamond Pipeline project.

- ~~(U//FOUO)~~ In mid-December 2016, two individuals entered property used for storing construction equipment for the Diamond Pipeline, forcing the equipment operator to vacate the property fearing for his safety and the safety of the trespassers; the individuals then secured themselves to the equipment, according to media

reporting.[13,14] Both individuals were arrested and charged with criminal trespassing and pled not guilty, according to media reporting.[15] The cases are pending in criminal court.

- (U) On 21 June 2016, William Keebler[USPER], the violent extremist leader of a Utah militia group, was arrested after allegedly attempting to blow up a Bureau of Land Management (BLM) cabin in Mt. Trumbull, Arizona. Keebler traveled to Arizona with other militia members and undercover FBI agents. Keebler reportedly attempted to detonate an inactive IED placed in front of the cabin's door, according to news sources.[16] Keebler also participated in the 2014 standoff against the BLM in Bunkerville, Nevada. He is currently awaiting trial in federal court for charges of attempted damage to federal property by means of fire or explosive and possessing a firearm during a violent crime, according to media reporting.[17]

- (U) In August 2015, individuals attempted to instigate an armed standoff with federal authorities by occupying the grounds of White Hope Mine[USPER] in Lewis and Clark County, Montana following legal requests from the US Forest Service that the owner address compliance issues.[18,19] While the incident concluded peacefully, the actions of the participants had the potential to escalate to violence as seen in Arizona in mid-2016.

(U) Elicitation and Suspicious Photography of Critical Facilities

~~(U//FOUO)~~ Nodes of critical infrastructure and natural energy development sites—including the Diamond Pipeline project—have been the subject of intense public interest. Suspicious activity reporting about unusual photography of energy sector infrastructure potentially related to the Diamond Pipeline—while nonviolent to date—may be indicative of preoperational surveillance by those opposed to the operations and planned expansion of the fossil fuels industry.

- ~~(U//FOUO)~~ A private sector safety official reported to the OIFC that on 9 November 2015 an unidentified individual in a vehicle was observed photographing a gate to a commercial natural energy terminal in Cushing. After slowing down to take the photographs, the vehicle's sole occupant departed the area. Subsequent vehicle identification checks revealed the vehicle belonged to a construction supply company; however, additional contact with personnel assigned to the energy terminal revealed no construction or maintenance scheduled for the gate in question, according to the safety official.[20]

- ~~(U//FOUO)~~ On 8 March 2015, a fixed-base operator at an airfield in Oklahoma received a telephone call from an individual who reportedly spoke broken English and inquired about renting an aircraft to take aerial photographs of an energy facility in Cushing. The caller claimed to be an employee of a company that provides "midstream support services" to oil and gas company clients—a claim subsequently disproven by a company representative contacted by state officials, according to local law enforcement.[21]

- ~~(U//FOUO)~~ On 15 March 2013, security personnel employed by a private sector refinery located in north-central Oklahoma observed a group of five individuals taking photographs at the employee entrance to the facility. When approached by a security officer, the individuals refused to identify themselves. Once the security officer contacted local law enforcement, the individuals appeared to delete the photographs. Before law enforcement arrived, the group departed the area in a vehicle with an out-of-state license plate, according to the security personnel.[22]

(U) Sabotage and Disruption of Critical Infrastructure

~~(U//FOUO)~~ While the Diamond Pipeline project has not seen the same level of disruption as the Dakota Access Pipeline (DAPL), we are concerned that negative perceptions about enforcement efforts against DAPL opponents could inspire likeminded individuals to seek out reprisal violence against similar targets, including the Diamond Pipeline.

- (U) On 11 October 2016, five pipelines spanning the US–Canadian border in Montana, North Dakota, Minnesota, and Washington were shut down. The coordinated shutdown resulted in the arrests of nine individuals on charges related to tampering with pipeline valves, according to media reporting.[23,24] Websites supportive of the action stated the subjects used bolt cutters to gain access to aboveground

maintenance facilities, from which they were able to manually close valves to stop the flow of oil.[25] According to an online press release from a group representing the individuals, they targeted the pipelines to show solidarity with the actions against the DAPL. The press release called on the government to use emergency powers to keep the pipelines closed, a total ban on new fossil fuel extractions, and an immediate end to use of tar sands and coal.[26] In each disruption, the subjects called pipeline operators to give advanced notice of the valve closure.[27]

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(U) Figure 2. Use of burning tires and vehicles as barricades in North Dakota during anti-DAPL protests in October 2016.[28]

- (U) Protests surrounding the DAPL have resulted in the arrest of hundreds of individuals for allegedly committing criminal acts while trespassing and setting up encampments on DAPL property in rural North Dakota. Media reporting noted the DAPL construction project attracted opposition from Native American tribes that claim the pipeline route crosses sacred sites and burial places, and they are concerned about the consequences if the pipeline ruptures.[29] Activity reported by local news included setting tires and DAPL vehicles on fire on roads to block law enforcement advances; using "sleeping dragons" (individuals willing to chain themselves to construction equipment); and throwing Molotov cocktails, rocks, and debris at police.[30] One individual was charged with attempted murder for allegedly discharging a firearm at officers during removal efforts, according to media reporting.[31]

- ~~(U//FOUO)~~ On 7 March 2014, a US natural gas company operating in Tennessee received an emergency notification from one of its regional natural gas compressor stations. Further inspection of the facility revealed its fence had been cut and its emergency shutdown button engaged. Additionally, "ELF," an acronym for the known environmental rights extremist group Earth Liberation Front, and a "circle-A" anarchy symbol, known to be used by violent and nonviolent adherents, were spray-painted on the facility, according to official DHS reporting.[32] To date, no group has claimed responsibility and no suspects have been identified by authorities.[33]

(U) Arson Attacks

(U) Environmental rights extremists have a long history of using arson attacks to inflict economic damage and disrupt projects or infrastructure they believe present a danger to the environment. Some environmental rights extremists claim arson attacks are nonviolent due to precautions they take to avoid human casualties; however, such acts carry a risk of death or serious injury. Historical examples include a $12 million Colorado ski resort arson in 1998 and a $50 million California housing complex construction site arson in 2003.[35] According to a DHS-funded academic review, there were approximately 90 arson attacks perpetrated by environmental and animal rights extremists between 1995 and 2010.[36,*] Most took place in the western United States; however, more recent arson activity believed to have been

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(U) Figure 3. Suspected arson against pipeline construction equipment in Jasper County, Iowa on 1 August 2016.[34]

[*] ~~(U//FOUO)~~ DHS defines **animal rights extremists** as groups or individuals who facilitate or engage in acts of unlawful violence directed against people, businesses, or government entities perceived to be exploiting or abusing animals.

committed by environmental rights extremists has been reported in areas much closer to the Diamond Pipeline construction project.[37]

- (U) On 1 August 2016, unknown individual(s) set fires in Iowa's Jasper County targeting heavy machinery at three construction sites associated with DAPL, resulting in over $1 million in damages to equipment, including a bulldozer and a track hoe, according to media reporting.[38] According to media reports citing local law enforcement, the fires damaged the vehicles' engine and cab compartments, likely resulting in a total loss of the equipment.[39] There have been no arrests or claims of responsibility for the attacks, which were the first local criminal incidents related to the project.[40]

- (U) On 15 October 2016, unknown individual(s) committed a fourth arson against DAPL construction equipment in Jasper County, according to local news reports.[41] According to media reporting citing local law enforcement, there have been no arrests. The attack occurred in the same area as one of the August arsons and involved similar tactics, possibly suggesting it was related to the earlier arsons.[42] The arson resulted in over $2 million worth of damage.[43] In both the August and October attacks, the targets' proximity and relationship with DAPL, and the tactics, techniques, and procedures used suggest this incident was plausibly carried out by environmental rights extremists. However, we acknowledge that other factors—a lack of graffiti at the crime scene, no claims of responsibility, a lack of previous activity in the region, and public controversy over the project's use of eminent domain—could suggest the attack was committed by actors with other motives.[44]

(U) Improvised Explosive Devices

(~~U//FOUO~~) Environmental rights extremists have a history of targeting critical infrastructure and energy sector construction sites they deem as dangerous or harmful to the environment; however, these actors have infrequently employed IEDs against such targets. The Diamond Pipeline construction project area and neighboring regions cover great distances of sparsely populated lands, making it vulnerable to sabotage by groups and individuals who could use IEDs with reduced risk of detection.

- (U) On 17 and 18 June 2012, environmental rights extremist Anson Chi[USPER] set off a series of explosive devices on top of an Atmos[USPER] gas pipeline in Plano, Texas. Chi intended to damage the pipeline and disrupt natural gas flows. He was sentenced to 20 years without parole on 30 June 2014, according to media and Department of Justice reports.[45,46] Chi pled guilty to attempting to destroy a natural gas pipeline used in interstate commerce and possessing an explosive device not registered with the National Firearms Registration and Transfer Record.[47]

- (U) In the early morning hours of 23 January 2012, three explosions took place at a private sector energy facility in Stillwell, Oklahoma, according to open source reporting. The first two explosions occurred concurrently prior to the arrival of first responders. The third explosion took place just after the first law enforcement officer arrived, and reportedly sent shrapnel into the officer's patrol vehicle. No injuries were associated with the events, and damage reportedly was minor. The FBI, which believes the explosions were intentional, has not identified any suspects in connection with the case.[48]

(U) Outlook and Implications

(~~U//FOUO~~) We have no specific information indicating environmental rights extremists or militia extremists are planning violent attacks targeting the Diamond Pipeline construction project or associated entities. Pipeline construction projects frequently arouse concerns about environmental and land-use issues. While most opposition activity related to pipeline construction remains nonviolent and lawful protest activity, some violent extremists may take advantage of lawful gatherings to attempt to threaten, incite, or commit violent acts against public safety officers or facility staff.

(U) Intelligence Gaps

- ~~(U//FOUO)~~ What environmental rights extremist groups and individuals exist in areas affected by the Diamond Pipeline construction project?
- ~~(U//FOUO)~~ Are militia extremist groups and individuals in the region or elsewhere in the United States advocating violence in response to pipeline construction efforts?
- ~~(U//FOUO)~~ What is the nature and scope of the threat to the Diamond Pipeline construction project supply chain?

(U) Behavioral Indicators of Planned Violence

(~~U//FOUO~~) There are a number of potential behaviors and indicators of planned criminal or violent activities targeting pipelines and associated entities. Some of these behavioral indicators may be constitutionally protected activities and should be supported by additional facts to justify increased suspicions.* Possible behaviors and indicators of planned violent activity that could reasonably arouse suspicion include:

- ~~(U//FOUO)~~ Planning of violent activities related to major protests on Internet chatrooms, message boards, or social networking sites;
- ~~(U//FOUO)~~ Reports of preoperational surveillance of pipeline construction sites or facilities potentially related to the project;
- ~~(U//FOUO)~~ Reports of rhetoric indicating a desire to manually close pipeline valves;
- ~~(U//FOUO)~~ Advanced warning calls indicating a violent attack is imminent;
- ~~(U//FOUO)~~ Possession of locks and homemade devices to chain oneself to pipeline valves or construction equipment;
- ~~(U//FOUO)~~ Reports of graffiti threatening violence related to the pipeline;
- ~~(U//FOUO)~~ Threatening verbal or online rhetoric related to pipeline construction;
- ~~(U//FOUO)~~ Threatening phone calls or e-mails to corporate executives, businesses, or contractors associated with pipeline construction;
- ~~(U//FOUO)~~ Signs of trespassing or suspicious persons in construction areas possibly indicating pre-incident surveillance;
- ~~(U//FOUO)~~ Reports of individuals wearing all dark or black clothing and masks or bandanas without a reasonable explanation;
- ~~(U//FOUO)~~ Possession of sharp or blunt objects, such as knives, machetes, dowels, or tire irons, during protests;
- ~~(U//FOUO)~~ Possession of bolt-cutters for use in cutting through security fencing;
- ~~(U//FOUO)~~ Reports of attacking opposition vehicles by lighting them on fire and using them as roadblocks;

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* ~~(U//FOUO)~~ For further description of suspicious activity reporting indicators, please see https://nsi.ncirc.gov/documents/ISE-SAR_functional_standard_indicators_and_examples_0315.pd.

- ~~(U//FOUO)~~ Reports of individuals carrying illegal firearms during protests;
- ~~(U//FOUO)~~ Reports of individuals acquiring materials that could be used to build improvised incendiary devices or IEDs without a reasonable explanation;
- ~~(U//FOUO)~~ Reports of individuals moving heavy materials, such as tires, trashcans, or dumpsters, to make barricades during protests, which they could then light on fire;
- ~~(U//FOUO)~~ Reports of pilfered construction sites for potential projectiles, such as bricks, rebar, or pipes;
- ~~(U//FOUO)~~ Pre-staging of bricks, rocks, or debris along protest routes;
- ~~(U//FOUO)~~ Reports of "direct action" training camps or gatherings advocating or planning criminal or violent activity in preparation for major events; and
- ~~(U//FOUO)~~ Reports of individuals carpooling from other locations to engage in planned criminal or violent acts during event disruptions.

~~(U//FOUO)~~ Comments, requests, or shareable intelligence may be directed to the Arkansas State Fusion Center at 501-618-8001 or arfusioncenter@asp.arkasas.gov, the Oklahoma Information Fusion Center at 405-842-8547 or fusion@osbi.ok.gov, or the Tennessee Fusion Center at 877-250-2333 or tfc@tn.gov.

(U) Source Summary Statement

(U) The information used in this *FAR* is drawn from open source reporting, DHS reporting, and other law enforcement intelligence reports. We have **high confidence** in the information obtained from US Government and law enforcement agencies, as they are credibly sourced and plausible. We have **medium confidence** in the information obtained from open sources, which includes media and NGO reports and websites whose information is credibly sourced and plausible but may contain biases or unintentional inaccuracies. When possible, open source information has been corroborated through other law enforcement and government sources.

~~(U//FOUO)~~ We have **medium confidence** in our assessment that the most likely potential domestic terrorist threat to the Diamond Pipeline construction project or associated entities is from environmental rights extremists motivated by resentment over perceived environmental destruction. Our judgment is based on our review of targeting trends using law enforcement information, open source information, and official government reports on recent environmental rights extremist attacks elsewhere in the United States and the movement's continued focus on the pipeline construction industry going into 2017.

~~(U//FOUO)~~ We have **medium confidence** in our assessment that the second most likely potential domestic terrorist threat to the Diamond Pipeline or associated entities are from militia extremists. Our judgment is based on our review of law enforcement information, open source information, and official government reports on nationwide targeting trends indicating that disputes over land-use are a primary driver of violence from the movement.

~~(U//FOUO)~~ We have **medium confidence** in our assessment that potential attacks against the Diamond Pipeline or related entities would most likely be simple and designed to damage physical infrastructure or equipment by sabotage or arson. Our judgment is based on our review law enforcement information, open source information, and official government reports on tactical trends in historical attacks and trends in attacks against DAPL construction efforts in 2016.

(U) Report Suspicious Activity

(U) To report suspicious activity, law enforcement, Fire-EMS, private security personnel, and emergency managers should follow established protocols; all other personnel should call 911 or contact local law enforcement. Suspicious activity reports (SARs) will be forwarded to the appropriate fusion center and FBI Joint Terrorism Task Force for further action. For more information on the Nationwide SAR Initiative, visit http://nsi.ncirc.gov/resources.aspx.

(U) Tracked by: HSEC 8.1, HSEC 8.2, HSEC 8.3, HSEC 8.4, HSEC 8.5, HSEC 8.6, HSEC 8.8, HSEC 8.10

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Homeland Security

Office of Intelligence and Analysis

Customer Feedback Form

Product Title: ~~(U//FOUO)~~ Potential Domestic Terrorist Threats to Multi-State Diamond Pipeline Construction Project

All survey responses are completely anonymous. No personally identifiable information is captured unless you voluntarily offer personal or contact information in any of the comment fields. Additionally, your responses are combined with those of many others and summarized in a report to further protect your anonymity.

1. Please select partner type: Select One **and function:** Select One

2. What is the highest level of intelligence information that you receive? Select One

3. Please complete the following sentence: "I focus most of my time on:" Select One

4. Please rate your satisfaction with each of the following:

	Very Satisfied	Somewhat Satisfied	Neither Satisfied nor Dissatisfied	Somewhat Dissatisfied	Very Dissatisfied	N/A
Product's overall usefulness	○	○	○	○	○	○
Product's relevance to your mission	○	○	○	○	○	○
Product's timeliness	○	○	○	○	○	○
Product's responsiveness to your intelligence needs	○	○	○	○	○	○

5. How do you plan to use this product in support of your mission? ***(Check all that apply.)***

- ☐ Drive planning and preparedness efforts, training, and/or emergency response operations
- ☐ Observe, identify, and/or disrupt threats
- ☐ Share with partners
- ☐ Allocate resources (e.g. equipment and personnel)
- ☐ Reprioritize organizational focus
- ☐ Author or adjust policies and guidelines
- ☐ Initiate a law enforcement investigation
- ☐ Intiate your own regional-specific analysis
- ☐ Intiate your own topic-specific analysis
- ☐ Develop long-term homeland security strategies
- ☐ Do not plan to use
- ☐ Other:

6. To further understand your response to question #5, please provide specific details about situations in which you might use this product.

7. What did this product *not* address that you anticipated it would?

8. To what extent do you agree with the following two statements?

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disgree	N/A
This product will enable me to make better decisions regarding this topic.	○	○	○	○	○	○
This product provided me with intelligence information I did not find elsewhere.	○	○	○	○	○	○

9. How did you obtain this product? Select One

10. Would you be willing to participate in a follow-up conversation about your feedback? Yes

To help us understand more about your organization so we can better tailor future products, please provide:

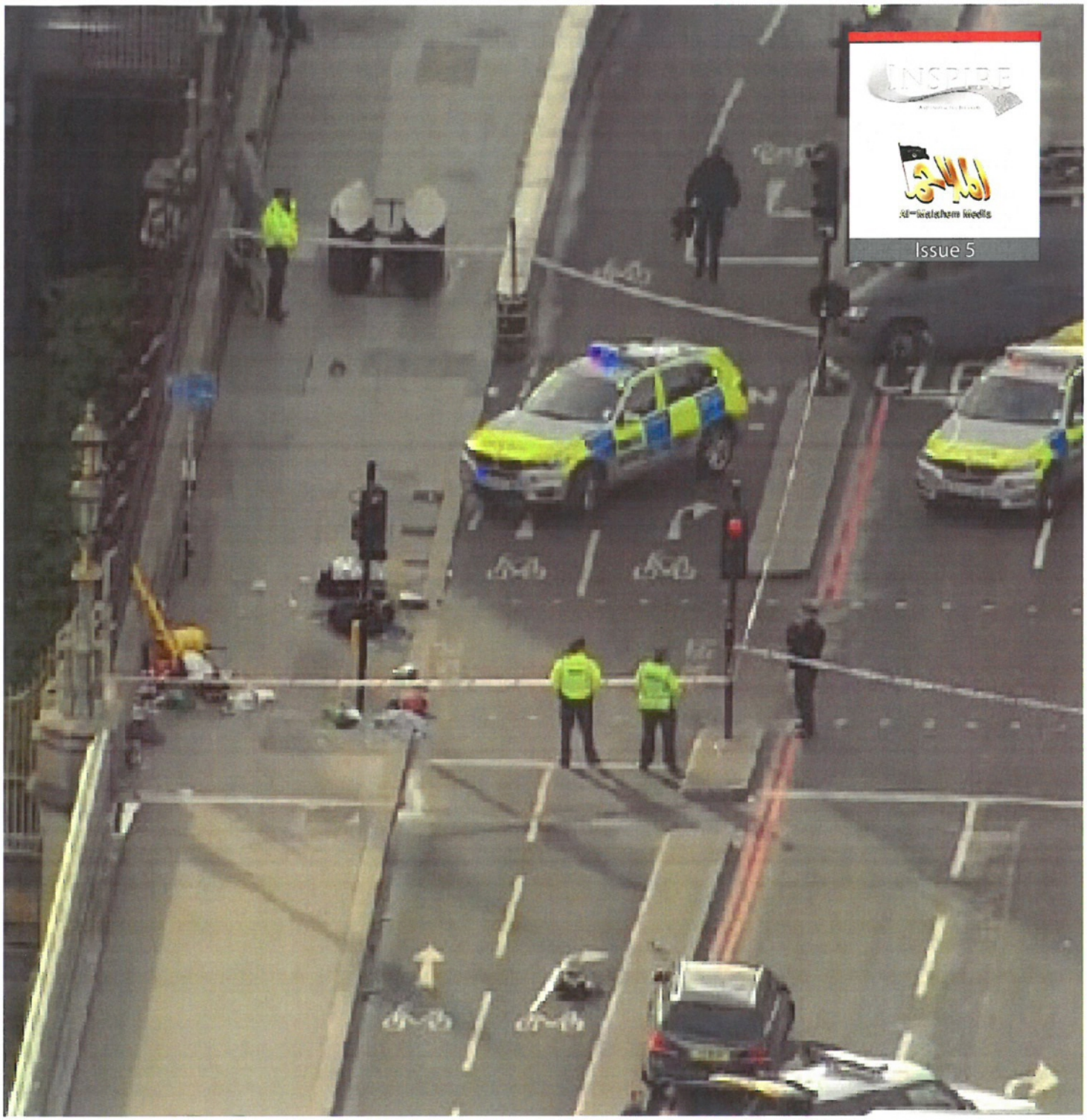
Name: *Position:*
Organization: *State:*
Contact Number: *Email:*

Submit Feedback

Privacy Act Statement

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Product Serial Number: IA-0123-17 REV: 10 November 2016



INSPIRE GUIDE

The British Parliament Operation in London

2017 / 3 / 23 - 1438/ 6 / 24

Inspire Guide

2017 / 3 / 23 - 1438/ 6 / 24

The British Parliament Operation in London

All praise is due to Allah, the Lord of the Worlds. Peace and prayers be upon our Prophet Muhammad and the entirety of his family and companions.

And henceforth:

On Wednesday afternoon, 23/6/1438 - 22/3/2017, one of the heroes of lone jihad took his car and his blade and proceeded to execute a blessed raid with all the strength he could manage, responding to the call for faith and support of Islam and Muslims. He headed towards the British Parliament in London, and preceding his arrival to the location, the mujahid began to plow through Westminster Bridge, wounding and killing a number of pedestrians on it. He then drove towards the building quickly with his car and attempted to run over a number of police officers. He hit the building wall and then left his car and, with the determination of those not fearing death, he took out his blade and attacked policemen, killing and wounding them until he himself was killed, may Allah have mercy on him, moving onwards to his Lord and his tongue uttering: You will not dream of security until we truly experience it in Muslim lands. The blood of our giving hero has been shed, to tell a story of sacrifice and as if to say: Blood for blood, and destruction for destruction, and the eyes of cowards do not find rest. May Allah have mercy on you O hero, and may He house you in the vastness of His Paradise with the prophets, the truthful, and the martyrs, for they are indeed the best companions.

General Analyses of the Operation

This operation came after the British government announced that it thwarted a number of "terrorist" operations, therefore asserting its excellent capabilities and security preparedness. Britain had taken a number of preventative security measures, most notable of them being immigration and exit procedures within the European Union. However, this operation smashed all these measures, to prove to the whole world that security procedures are not a solution to the problem and not a means of safety.

The attack demonstrated the true meaning of success in military operation, where success is not measured by strength of the employed weapon or by an abundance of soldiers, but requires a number of factors and conditions that determine whether or not it is achieved. Perhaps the most important determinants of strength and success in this operation are the location and the time, as well as determination, which was a hallmark of the lone executor of the attack. The Mujahid did not delay to gather the means or procure the most powerful weapon, but he found sufficient his weapon and relied on other factors of success - after seeking guidance from Allah - and then proceeded to his operation. We will identify the most important factors of success in this operation:

A- Time:
The Mujahid timed the operation to take place on the day Prime Minister Theresa May met with Parliament, thus giving it both political and military dimensions.

B- Location:
The operation took place in the British capital, London, and in one of its most notable neighborhoods, Westminster, and at the Parliament building, blending together tourist attractions and political sites in London in particular and in Britain in general.

Message of the Operation

One of the most important messages of the operation is the determination held by its executor - may Allah have mercy on him - and not being dissuaded or discouraged by his lack of means. The executor - may Allah accept him - managed to turn civilian weapons into weapons enabling success, bringing the government to its knees and embarrassing its security. Indeed, it is an important message to Britain, affirming that we will not stop fighting you, no matter how much you fortify yourself and invest in your security, until you hold yourselves back and leave the Muslims alone.

Also, the location of the operation, "Parliament," bears significant symbolism, for the British Parliament, which had approved the war on Iraq in which thousands of Muslims were killed, also endorses today the global war on the Mujahideen within the doomed American coalition. Thus the location was both a distinct political and military target.

Guidance and Advice in the Parliament Operation

Without a doubt, the operation by the lone mujahid on the British Parliament is successful by every standard. The executor excelled in selecting the time and location, and employing the rule of "the art of the possible" in choosing the means and weapons. At the same time, however, we call on the lone mujahid not to rely on one form of means or one method, but to broaden the possibilities and increase the options in what means and methods to employ. We advise you to take advantage of all the previous operations and to discover what other factors of success are equally important to the selection of the time and place, and the circumstances surrounding that.

Finally

We send our message to the lone mujahd in the West: O Mujahid, you are the head of our war and our drawn sword, so seek guidance in Allah and put your trust in Him. Then, choose your targets carefully and determine the optimum location. Prepare the most effective and simple means, and do not forget the appropriate time. Battle them in the name of Allah and in His cause, against disbelief in Allah and those who fight the Muslims and violate them. O Mujahid, you are waging a battle of Islam, and you are one of the pillars of victory and a brick from its structure. May Allah bless you in your jihad, and may He grant us and you martyrdom in His cause, and to strike His enemies, the enemies of the religion.

Peace, mercy, and blessings of Allah be upon you.

Lone Jihad Guide Team

From: Greff, Stacie
Sent: 21 Mar 2017 21:30:24 +0000
To: Dragani, Nancy
Cc: Deal, Timothy;Carroll, Thomas;Dombrowski, Justin
Subject: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5
Importance: High

Nancy – I connected with HQ Leg Affairs on this. This originated when Sharon Loper joined Alex Amparo for some hill visits relating to tribal, and he felt it went well. The idea was thrown out primarily by Recovery for potential future opportunities. There is not an expectation or requirement from Legislative Affairs. However, if it is something that you are interested in doing (meeting with staffers from key hill offices), then they will staff you and we will ensure that relevant background information (tribal & more) is prepped ahead of time for you.

My suggestion is that you chat with Alex if he is there with you and easily assessable to discuss how he feels at this point. Leg Affairs made the point of letting me know they had just cleared all the asks from the Senate hearing about a month ago on tribal where Alex testified.

Leg Affairs staff can make the visits happen in April when you are there, or we can explore other opportunities in the future. It really is your call on timing. I think the staff visits are good, but it depends on what else is scheduled for you that week as it will take some time.

Thanks. Stacie

Stacie Greff
External Affairs Director
FEMA Region VIII
303.235.4774 (desk)
303.941.8668 (cell)
Stacie.Greff@fema.dhs.gov

From: Dragani, Nancy
Sent: Thursday, March 02, 2017 1:11 PM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Cc: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: FW: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

For your visibility and coordination. It looks like this is focused on Tribal but I would expect other issues (levees, DAPL, flood insurance) may come up as well.

I am in DC that week so assume that is why they selected those dates.

Nancy

Sent from my iFEMA mobile device.

From: Edge, Elizabeth
Sent: Thursday, March 02, 2017 10:55:41 AM
To: Dragani, Nancy
Subject: FW: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

FYI – I'm sure someone will be contacting you soon… In the message below, Jessica Specht is referring to Alex Amparo.

Elizabeth R. Edge
Director, Office of Regional Operations
DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Thursday, March 02, 2017 10:49 AM
To: Brewster, Jared
Cc: Windle, William; Booth, Milo; Valteau, Margeau; Edge, Elizabeth; Eswood, Louis; Blanchard-Mbangah, Shauna M; Jenkins, Christy; Salem, Lindy
Subject: RE: RA CAD/Tribal Engagement - R8 RA Dragani - 4/5

Hi Jared,

I got to talk with Alex more about these potential engagements today. He would like to set-up hill visits with the remaining RAs, if possible. Ideally, tribal is a part of the discussion, but he'd like to participate in the conversations regardless. Based on their schedules and my initial research, I'd recommend the following visits for R8 RA Nancy Dragani for 4/5. However, I welcome your feedback on whether you all think these are the right folks. If so, per my conversation with Michelle about process, can you please begin working with CAD Regional staff on this?

Region VIII
John Hoeven, ND - SHSGAC, Chairman of Senate Indian Affairs Committee, Appropriations HS Subcomm.
Jon Tester, MT - SHSGAC, Senate Indian Affairs Committee, Ranking Member of Appropriations HS Subcomm.
Heidi Heitkamp, ND – SHSGAC, Senate Indian Affairs Committee
Steve Daines, MT- SHSGAC, Senate Indian Affairs Committee

Looping in Lindy and Christy for help with scheduling and others for awareness.

Thank you,

Jessica

Jessica Specht (Steinbeck)

Tribal Policy Lead, Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Block, Michelle
Sent: Tuesday, February 28, 2017 1:35 PM
To: Edge, Elizabeth <Elizabeth.Edge@fema.dhs.gov>; Specht, Jessica <jessica.specht@fema.dhs.gov>
Cc: Windle, William <William.Windle@fema.dhs.gov>; Brewster, Jared <Jared.Brewster@fema.dhs.gov>; Booth, Milo <milo.booth@fema.dhs.gov>; Valteau, Margeau <margeau.valteau@fema.dhs.gov>
Subject: RE: RA CAD/Tribal Engagement

Hi all,
FYSA during our congressional staff call today with the regions, our deputy director mentioned the success of recent RA meetings on the Hill and asked for regions to consider other ones that may be beneficial when their RAs come to DC.

Best,
Michelle

From: Edge, Elizabeth
Sent: Friday, February 24, 2017 2:21 PM
To: Specht, Jessica <jessica.specht@fema.dhs.gov>
Cc: Windle, William <William.Windle@fema.dhs.gov>; Block, Michelle <michelle.block@fema.dhs.gov>; Brewster, Jared <Jared.Brewster@fema.dhs.gov>; Booth, Milo <milo.booth@fema.dhs.gov>; Valteau, Margeau <margeau.valteau@fema.dhs.gov>
Subject: RE: RA CAD/Tribal Engagement

Thanks very much Jessica. Standing by to hear back from Michelle.

Enjoy the weekend.

Elizabeth R. Edge
Director, Office of Regional Operations
DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Friday, February 24, 2017 1:49 PM
To: Edge, Elizabeth

Cc: Windle, William; Block, Michelle; Brewster, Jared; Booth, Milo; Valteau, Margeau
Subject: RA CAD/Tribal Engagement

Hi Elizabeth,

Nice talking with you too. I raised the potential opportunity for the remaining RAs to have congressional and/or tribal meetings when they are in town. Michelle Block of CAD said she would bring this up to their new Deputy, Damon on their Monday call and get back to us all.

As we discussed, depending on whether we decide these meetings should be just CAD or tribal related or both, I am happy to email the RAs after Monday and CC: Sharon and share the positive experience we had with her yesterday and offer for Alex to meet with them when they are in town, if we decide that is the right approach.

Thank you,

Jessica

Jessica Specht (Steinbeck)
Tribal Policy Lead, Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Edge, Elizabeth
Sent: Friday, February 24, 2017 12:46 PM
To: Specht, Jessica <jessica.specht@fema.dhs.gov>
Cc: Windle, William <William.Windle@fema.dhs.gov>
Subject: RE: Proposed response to Franken

Good to chat with you just now.

As I said, theyre all doing their own schedules. Jans only here for a day but maybe another trip? Either way I think it's a great idea for them to do congressional tribal and just regular visits.

Let me know how your meeting with CAD goes and we'll get this working.

Thanks.

Elizabeth R. Edge
Director, Office of Regional Operations

DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Friday, February 24, 2017 12:37 PM
To: Edge, Elizabeth
Cc: Windle, William
Subject: RE: Proposed response to Franken

I understand from Region V staff that Jan is doing her own scheduling? It appears similar opportunities may arise for Mike, Paul, and Nancy do you have a primary POC who is managing these schedules or visibility on that?

Jessica Specht (Steinbeck)
Tribal Policy Lead**,** Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Edge, Elizabeth
Sent: Friday, February 24, 2017 11:00 AM
To: Specht, Jessica <jessica.specht@fema.dhs.gov>
Cc: Windle, William <William.Windle@fema.dhs.gov>
Subject: RE: Proposed response to Franken

Thanks.

Elizabeth R. Edge
Director, Office of Regional Operations
DHS FEMA
202-465-6354 cell

From: Specht, Jessica
Sent: Friday, February 24, 2017 10:47 AM
To: Edge, Elizabeth
Cc: Windle, William
Subject: FW: Proposed response to Franken

FYSA

From: Specht, Jessica
Sent: Friday, February 24, 2017 10:38 AM

To: Peterson, Mark J <Mark.Peterson2@fema.dhs.gov>
Cc: Booth, Milo <milo.booth@fema.dhs.gov>; Sulinckas, William C <William.Sulinckas@fema.dhs.gov>; Block, Michelle <michelle.block@fema.dhs.gov>
Subject: RE: Proposed response to Franken

Hi Mark,

Good to hear from you! I hope you're well. Thanks for clarifying that.

Heads up, yesterday we had Region X Acting RA Sharon Loper come with Alex, Milo, myself and others to the hill to follow-up with Senators Murkowski and Cantwell's staff on their requests from the Senate Indian Affairs Committee Hearing. We understand that your Acting RA, Janet Odeshoo, is the next to rotate to FEMA HQ, so it would be good to set up a similar meeting with Alex, Milo and Franken's staff. Can you point me to the right person for scheduling please?

Copying Bill Sulinckas for viz.

Thank you,

Jessica

Jessica Specht (Steinbeck)
Tribal Policy Lead, Recovery Front Office
Office of Response and Recovery
Federal Emergency Management Agency
U.S. Department of Homeland Security
Cell: (202) 251-5379
jessica.specht@fema.dhs.gov

From: Bush, Tom
Sent: 24 Mar 2017 19:21:04 +0000
To: Phillips, Leigh-Andrea
Cc: Puffer, Donovan;Dick, Jennifer;Americanos, Christopher;Jones, Roger;Carroll, Thomas
Subject: FW: ND Request
Attachments: PDA Letter DRAFT - 2017-3-23.docx, DAPL Presidential Major Disaster Declaration Request - DRAFT - 2017-3-23.docx

Data for the ND DR request for pipeline protest. Apparently the state has not made a hard decision on requesting but we should be prepared. Please do not disseminate these documents further.

Anticipate:

- State will send request for validation of PDA data in next 5 to 10 days
- Upon validation, the state will submit Governors request
- Requested incident period- 223 days concluding on Mar 21
- Leigh is crafting RVAR
- HQ is aware

Tom Bush
Public Assistance Branch Chief
Recovery Division
FEMA Region VIII

303-235-4860 (Desk)
303-941-3998 (Cell)

From: Schulz, Cody J. [mailto:(b)(6)@nd.gov]
Sent: Friday, March 24, 2017 10:41 AM
To: Bush, Tom <Tom.Bush@fema.dhs.gov>
Cc: Wilz, Greg M.(b)(6)@nd.gov>
Subject: RE: ND Request

Tom,

Attached are the DRAFTs of the PDA request and Dec request. Please understand that these are drafts only and they are pre-decisional, meaning that appointed and elected political leadership is still considering whether or not to submit. If you have any questions or see any issues with the drafts please let me know.

Thanks,

Cody Schulz
Disaster Recovery Chief
ND Department of Emergency Services
Office: 701-328-8256

Fax: 701-328-8181
cjschulz@nd.gov



From: Bush, Tom [mailto:Tom.Bush@fema.dhs.gov]
Sent: Friday, March 24, 2017 10:29 AM
To: Schulz, Cody J. (b)(6) @nd.gov>
Subject: ND Request

CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Would you mind sending me the draft request for the pipeline? We are trying to get a start on crafting the paperwork we need to send to DC.

Thanks

Tom Bush
Public Assistance Branch Chief
Recovery Division
FEMA Region VIII

303-235-4860 (Desk)
303-941-3998 (Cell)

March 23, 2017

Ms. Nancy Dragani, Acting Regional Administrator
U.S. Department of Homeland Security
Federal Emergency Management Agency, Region VIII
Denver Federal Center, Building 710
Denver, CO 80225-0267

Attn: Mr. Tom Carroll, Response and Recovery Division Director

Dear Ms. Dragani:

As documented in reports issued by the North Dakota Department of Emergency Services and covered broadly in local, regional, and national media; the State of North Dakota experienced protests that included numerous riots, vandalism, property crimes, trespassing, as well as the use firearms and explosives. This incident began on August 10, 2016 and concluded on March 21, 2017.

In response to the crisis created by the DAPL protest, the Morton County Commission issued an emergency declaration on August 15, 2016. Other adjoining jurisdictions also followed suit; Sioux County on February 24, 2017, and Emmons County on February 27, 2017. My predecessor, the Honorable Jack Dalrymple, issued Executive Order 2016-04 on August 19, 2016, proclaiming an emergency, thereby enacting utilization of the State Emergency Operations Plan.

State and local jurisdictions were called upon to provide law enforcement and public safety personnel and assets to deal with often combative and violent protests and riots. The resources required for a nearly eight month response has been unprecedented and are of such severity and magnitude that effective response was beyond the capabilities of the State and affected local governments. Significant federal interests and responsibility for the start and continuation of the protest requires supplementary Federal assistance to mitigate the disproportionate expense experienced by local governments and the State of North Dakota.

State and local officials have conducted initial assessments to include the following jurisdictions: Emmons, Morton, and Sioux Counties. Based on the results of these initial damage assessments, I request the U.S. Department of Homeland Security, FEMA Region VIII, provide a team to assist us in conducting a Preliminary Damage Assessment (PDA) for the Public Assistance Program, scheduled to begin the week of April 3, 2017.

I reserve the right to add additional counties and tribal nations as damages become known. My point of contact for arranging details of this assessment is Greg Wilz, Director of Homeland Security, (b)(6)

Sincerely,

Doug Burgum
Governor

cc:
MG Alan Dohrmann, Director, NDDES
Greg Wilz, Deputy Director, NDDES
Cody Schulz, Disaster Recovery Chief, NDDES

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(b)(5)

of the Freedom of Information and Privacy Act

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From: Deal, Timothy
Sent: 13 Feb 2017 13:25:30 -0500
To: Carroll, Thomas
Subject: RE: DAPL Protest (UNCLASSIFIED)

Now, we get to see what politics do…keep you posted.

Tim Deal
Acting Deputy Regional Administrator
FEMA region VIII
303-235-4633

From: Carroll, Thomas
Sent: Monday, February 13, 2017 11:23 AM
To: Deal, Timothy <Timothy.Deal@fema.dhs.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

Thanks Tim. I agree that this is a LE issue not Stafford Act.

From: Deal, Timothy
Sent: Monday, February 13, 2017 11:14 AM
To: Carroll, Thomas <Thomas.Carroll@fema.dhs.gov>
Subject: FW: DAPL Protest (UNCLASSIFIED)

This string of emails will help bring you up to speed.

Tim Deal
Acting Deputy Regional Administrator
FEMA region VIII
303-235-4633

From: Bibo, David
Sent: Monday, February 13, 2017 10:12 AM
To: Depalo, Lee <lee.depalo@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Sevier, Adrian <Adrian.Sevier@fema.dhs.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

Thank you.

Any further indications from the state about intent to request Stafford Act support? Don't want to prompt them at all but don't want to be caught off guard, either.

From: Depalo, Lee
Sent: Monday, February 13, 2017 11:38 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Bibo, David <David.Bibo@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>;

Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

Mr. Bibo, we have the following two personnel on standby to support:

Kevin Moore, Response Ops Chief
Lamont Hudson, ND State LNO

We will deploy them as headquarters directs.

Lee

Lee dePalo

Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990

FEMA

From: Dragani, Nancy
Sent: Saturday, February 11, 2017 2:11 PM
To: Bibo, David <David.Bibo@fema.dhs.gov>
Cc: Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>; Deal, Timothy <Timothy.Deal@fema.dhs.gov>; Depalo, Lee <lee.depalo@fema.dhs.gov>; Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: DAPL Protest (UNCLASSIFIED)

David

We can support with a planner and/or a liaison. For your awareness, late yesterday the state asked the R8 recovery director for the emergency dec template. He stressed that they were not intending to ask for a dec but of course, the fact that they asked seems to indicate that the potential for the ask is being considered.

I've copied our response director on this email so he has visibility on the potential ask for a planner and/or liaison. I've also copied EA as she has the Tribal program.

Regards

Nancy

Sent from my iFEMA mobile device.

From: Bibo, David
Sent: Saturday, February 11, 2017 11:17:48 AM
To: Dragani, Nancy
Cc: Dozor, Joshua; Deal, Timothy
Subject: RE: DAPL Protest (UNCLASSIFIED)

Nancy - please see emails below from ND TAG and the NSC Senior Director for Response. There's been some stir about ND potentially asking for a Stafford emergency declaration. We have concerns with that approach for a number of reasons.

What would be your thoughts about providing a Region VIII planner to a DOI- or USACE-led interagency team? We're trying to steer folks away from Stafford-based approaches, but at the same time if we have capabilities we think can help support the state in minimizing impacts from this ongoing challenge I want Josh to be prepared to offer them at Monday's meeting.

Regards,
Dave

Referred to Another Agency/Component

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Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

From: Dombrowski, Justin
Sent: 14 Feb 2017 11:02:48 -0500
To: Depalo, Lee;Hudson, Lamont;Bush, Tom;Carroll, Thomas
Cc: Greff, Stacie
Subject: RE: ND...any buzz on possible emerg dec request?

Copy, thanks Lee, hope he stays in his lane, as some issues seem to be building from our OFAs vs the state.

From: Depalo, Lee
Sent: Tuesday, February 14, 2017 9:00 AM
To: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>; Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>; Bush, Tom <Tom.Bush@fema.dhs.gov>; Carroll, Thomas <Thomas.Carroll@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: RE: ND...any buzz on possible emerg dec request?

We've already done that

Lee dePalo

Response Division Director
FEMA Region VIII
Cell: 720-456-9616
Desk: 303-235-4990

Sent from my iFEMA mobile device.

From: Dombrowski, Justin
Sent: Tuesday, February 14, 2017 8:49:07 AM
To: Hudson, Lamont; Bush, Tom; Carroll, Thomas
Cc: Greff, Stacie; Depalo, Lee
Subject: RE: ND...any buzz on possible emerg dec request?

Ok, thanks Lamont and nothing new from Tom B either.

Will be important that someone (Response?) circles back w/Alan before his trip to ensure he knows what can/cannot be said in reference to FEMA/Stafford Act/declarations, etc.

From: Hudson, Lamont
Sent: Tuesday, February 14, 2017 8:43 AM
To: Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>; Bush, Tom <Tom.Bush@fema.dhs.gov>; Carroll, Thomas <Thomas.Carroll@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Depalo, Lee <lee.depalo@fema.dhs.gov>
Subject: RE: ND...any buzz on possible emerg dec request?

Hi Justin,

From Sean Johnson, North Dakota Lead Planner –

"If and when we submit any declaration request, we will follow channels through Region VIII to the President. So, your office will be among the first to know if such a decision is made."

So they have not submitted a declaration request. Alan Colon, ESF-13 Liaison and counterpart are scheduled to travel to North Dakota and meet with the State next week to discuss possible options in gaining support/assistance for the required resolution and clean-up of the Standing Rock DAPL Protest Camp. There will be more to follow after those meetings.

Respectfully,

Lamont Hudson

DHS/FEMA Region VIII - Logistics
Ordering Unit Lead
Denver Federal Center, Bldg. #20
Office: 303-235-4851
Cell: 303-842-4682
Fax: 303-233-2504

"Teamwork makes the DREAM work."

From: Dombrowski, Justin
Sent: Tuesday, February 14, 2017 8:01 AM
To: Hudson, Lamont <Lamont.Hudson@fema.dhs.gov>; Bush, Tom <Tom.Bush@fema.dhs.gov>; Carroll, Thomas <Thomas.Carroll@fema.dhs.gov>
Cc: Greff, Stacie <Stacie.Greff@fema.dhs.gov>
Subject: ND...any buzz on possible emerg dec request?
Importance: High

I know on just the template request Fri but hq was asking if they submitted a request last nite, have you heard anthing? Thx, Justin

From: Dragani, Nancy
Sent: 30 Mar 2017 17:05:25 +0000
To: R8 Division Directors
Subject: FW: Documentary film: DAPL

This is the video Greg mentioned on the state director's call today.

From: Wilz, Greg M. [mailto:(b)(6)@nd.gov]
Sent: Thursday, March 30, 2017 10:01 AM
To: Dragani, Nancy <nancy.dragani@fema.dhs.gov>; Titze, Tina (b)(6)@state.sd.us>; Cameron, Guy <(b)(6)@wyo.gov>; Kris Hamlet (b)(6)@utah.gov) <(b)(6)@utah.gov>;(b)(6), CDPS, (b)(6)@state.co.us>; Bruno, Delila (b)(6)@mt.gov) <(b)(6)@mt.gov>
Subject: FW: Documentary film: DAPL

I will refer to this on the call today. It is well done.

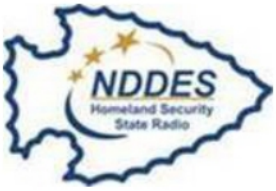
Greg

From: (b)(6)
Sent: Wednesday, March 29, 2017 3:49 PM
To: Wilz, Greg M. (b)(6)@nd.gov>
Subject: Documentary film: DAPL

Documentary regarding protests:
https://www.facebook.com/NetizensForProgress/videos/1868254373443542/

(b)(6)
Public Information Officer
ND Department of Emergency Services
Office: (b)(6)
(b)(6)@nd.gov

Follow us on Facebook - www.facebook.com/NDDES
Follow us on Twitter - www.twitter.com/NDDES



From: DeFelice, Jerome
Sent: 9 Dec 2016 11:00:43 -0500
To: R8 ALL PFTs-CORES
Cc: (b)(6) (b)(6) @state.co.us;(b)(6) @mail.mil;(b)(6) @mail.mil;(b)(6) @nd.gov;(b)(6) @state.sd.us;(b)(6) @state.sd.us(b)(6) @utah.gov(b)(6) @wyo.gov;(b)(6) @acf.hhs.gov;(b)(6) @usace.army.mil;(b)(6) @usace.army.mil;(b)(6) (b)(6) @state.mn.us;Peterson, Mark J(b)(6) @hhs.gov(b)(6) @hhs.gov(b)(6) @hhs.gov;(b)(6) @sba.gov;(b)(6) @sba.gov;Nelson, Jason(b)(6) @fs.fed.us;Alexander, Daniel
Subject: Region VIII News Clips, Friday, December 9
Attachments: R8 Clips 12-09-16.docx

Region VIII Clips
Friday, December 9, 2016

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STORIES

COLORADO:

Concerns being raised during peer reviews of hydrology study

By David Persons
Trail-Gazette

POSTED: 12/08/2016 01:35:54 PM MST

Professional feedback on the first draft of the recently-completed hydrology study is trickling in and some serious questions are being raised as a result.

The Town of Estes Park and Wright Water Engineers, the authors of the study, had planned to release the study to the public in October. But, after getting some comments and questions from local professionals as part of the peer review process, that release was put off until Dec. 14. It was then rescheduled for some time in early 2017 as officials work to answer the questions being raised.

Bill Van Horn, a long-time resident and licensed engineer and surveyor who currently is a consultant to Van Horn Engineering and Surveying, is one of the local professionals who has been asked to study the hydrology work and comment on it.

In a recent conversation with the Trail-Gazette, Van Horn said after reviewing the first draft of the study, he had serious concerns regarding the information used to gather the results which prompted him to submit a list of questions to the town for further review.

"I expect to receive word back from the town regarding the questions this month," Van Horn said.

Van Horn added that the first draft has also been reviewed by Van Horn Engineering and another independent party who have raised questions as well.

Although he wouldn't be specific about his questions, Van Horn said he is greatly concerned as to the impact that this study will have on the town if left in its current state. Specifically, he singled out insurance rates and the economic impact.

Town officials confirmed Wednesday that they have received Van Horn's questions and are reviewing them.

"We have received comments from several of these local stakeholders, including Mr. Van Horn, and we will be discussing responses provided by Wright Water Engineers with them soon," said Estes Park Public Information Officer Kate Rusch on Wednesday. "Once the report is finalized and receives a final review from FEMA, we will schedule a public meeting in early 2017.

"Exact dates for these steps have not been determined yet because the hydrology study itself is being revised to reflect comments from the formal peer review process. When we have the final report and FEMA has been able to review the data again, we will schedule those discussions and the public meeting.

"We have received positive comments from the State of Colorado and FEMA regarding the Town's extensive efforts to ensure a strong report to serve as the basis for future floodplain maps and decisions. Partner agencies have noted the Town's public engagement efforts for this post-flood study have been unprecedented."

Estes Park Town Administrator Frank Lancaster pointed out that the hydrology study is still in draft form and undergoing updates based the peer reviews. He called the peer reviews "a necessary and expected part" of the study process.

"Many of the changes being made to the first draft also address questions raised by local stakeholder reviewers like Mr. Van Horn," Lancaster said. "We appreciate their comments and expertise.

"This study is the foundation moving forward for flood mapping, flood insurance ratings, and for any future flood mitigation projects, so we are taking the necessary time and making sure the results are accurate and solid."

When the hydrology study is publicly released early next year, Wright Water Engineers, will make a presentation and be available to answer both general and technical questions. Staff

from the Colorado Water Conservation Board will discuss preliminary floodplain maps and staff from the Colorado Resiliency and Recovery Office will be in attendance to answer questions.

The presentation will include a scientific study of the Big Thompson River, Black Canyon Creek, Dry Gulch, and Fall River. Other topics to be discussed will be a preliminary map of new floodplain boundaries in the downtown area and how this study impacts floodplain management.

MONTANA:

NORTH DAKOTA:

ND governor says pipeline company 'abdicated' role in defending project

By Patrick Springer on Dec 8, 2016 at 5:21 p.m.

Dalrymple also said in a meeting Thursday, Dec. 8, the sprawling protest presence near Cannon Ball, N.D., operates outside the control of the Standing Rock Sioux Tribe and it is difficult for officials to identify a clear leader in the shape-shifting movement.

- **Latest: It's transition time at protest camps as people start leaving**
- **Complete coverage of the Dakota Access Pipeline protests**

In a wide-ranging conversation about the state's difficulties in dealing with the ongoing protest, Dalrymple expressed frustration that the company building Dakota Access Pipeline, Energy Transfer Partners, has not been vocal in making the case for the project in the public debate.

"They have abdicated completely their responsibility to explain the safety of the pipeline," Dalrymple said, adding that the portion planned to pass under Lake Oahe on the Missouri River will be double-strength, buried more than 90 feet beneath the riverbed and carefully monitored.

"It's as safe a pipe as you can build," the governor said.

"The pipeline is great for our economy," he added, explaining that it could carry half of the oil produced in the Bakken Formation in the state.

- **Man arrested for bomb threat in WF police parking lot**

Native Americans and environmental activists have been protesting to prevent the Dakota Access Pipeline from crossing under Lake Oahe at a point that is just upstream of the Standing Rock Sioux Reservation.

The Obama administration's Army Corps of Engineers announced Sunday, Dec. 4, that it would not grant an easement allowing the pipeline to cross under Lake Oahe, despite granting other permits for the $3.8 billion project designed to carry Bakken crude oil 1,172 miles to a hub in Illinois that provides access to oil refineries near the Gulf Coast.

North Dakota officials have been busy maintaining public safety in the face of a sophisticated public relations operation involving paid protesters, strategic advice from public relations professionals and an "army" of activists posting often misleading information, including "fake news," that has shaped national media coverage, Dalrymple said.

"National media is killing us," the governor said.

"There's a new paradigm," he said, referring to the influence of social media in molding public opinion. "I try to do what I can, but I'm no match for that organization. That's a long-term challenge. That may be going on well after the pipeline is laid."

Some protesters also repeatedly provoked law enforcement officers to try to goad them into a response that would make law enforcement look bad on video that would be widely shared on social media sites, Lt. Gov. Drew Wrigley said.

One notable example came Nov. 20, he said, when protesters refused to back away from a bridge and set fires. When responders used fire hoses to douse the flames, protesters could easily have moved back away from the spray, but didn't, creating a misleading visual representation of the confrontation, Wrigley said.

Wrigley said he and Dalrymple, joined by Col. Michael Gerhart, superintendent of the North Dakota Highway Patrol, and Al Dohrmann, adjutant general of the North Dakota National Guard, as well as Ron Rauschenberger, Dalrymple's chief of staff, watched a live video feed of the confrontation.

- **'It wears on you': Cass County Sheriff reflects on months of intense DAPL protests**

"The Native Americans are being used, absolutely being used, by these outside agitators," Wrigley said. "The state of North Dakota is not in conflict with the Standing Rock tribe."

Law enforcers have made more than 500 arrests so far, with 90 percent of those arrested coming from outside the state, Gerhart said. Officers have acted with great restraint, but are forced to act when protesters break the law, he said.

"Every time it becomes dangerous is because of their actions," he said. As examples, he said officers have been shot at, have faced improvised explosive devices, and have had rocks and burning logs thrown at them.

It has been clear for months that David Archambault II, the Standing Rock tribal chairman, is not able to control many of the protesters, Dalrymple said. After the corps' announcement on Sunday, Archambault asked protesters, many living in tents or other accommodations that are no match for a harsh North Dakota winter, to go home.

"Archambault's influence is non-existent" with protesters, said Dalrymple, who said he has a good relationship with the tribal chairman and has visited with him many times during the protests, often by telephone.

North Dakota no longer has any regulatory role in determining the fate of Dakota Access Pipeline, but must provide public safety, including for the protesters, Dalrymple said. The state's cost so far is $17 million, he said.

The project will be in limbo until the Donald Trump administration takes over, Dalrymple said. "I'm not going to lead us out of a federal easement decision," the governor said.

Tribes say corps announcement reason to stay lawsuit

- LAUREN DONOVAN Bismarck Tribune

U.S. Corps of Engineers Omaha District Commander Col. John Henderson, Standing Rock Sioux Tribe Historic Preservation Officer John Eagle and Rep. Kevin Cramer, left to right, lead a group of participants in a field examination of the Dakota Access Pipeline construction site in Morton County near Lake Oahe in October.

The Standing Rock Sioux Tribe wants its lawsuit against the U.S. Army Corps of Engineers put on hold, following the corps' announcement Sunday that it will not grant an easement for Dakota Access Pipeline to drill under the Missouri River/Lake Oahe while it examines alternate routes through the environmental impact statement process.

The motion to stay the suit was filed for Friday's status hearing in U.S. District Court in Washington with Judge James E. Boasberg.

“We’re asking to put the case aside, because, depending on the outcome of an EIS, it resolves most of the tribes’ concerns,” said tribe attorney Jan Hasselman, of Earthjustice.

The lawsuit filed in July by Standing Rock and the Cheyenne River Sioux Tribe claims the corps failed to follow federal law or properly consult tribes when it issued a permit for the 570,000-barrel pipeline project. The suit calls for a rigorous EIS rather than the environmental assessment used by the corps to justify the permit.

The permit did not include a written easement to use corps’ property to directionally drill the oil pipeline under the Missouri River/Lake Oahe. The announcement ended months of uncertainty over the easement, the lack of which has stopped the pipeline in its tracks, with no way to link pipe installed on both sides of the river.

Dakota Access is also in court following the corps’ announcement. It filed a motion asking Boasberg to find that the corps did in fact issue an easement in a consent document as well as under Section 408 permissions.

The tribes’ motion reserves the right to resume the suit if Boasberg agrees with Dakota Access and the company starts the drilling project. The tribes objected to a suggestion by Dakota Access that oral arguments on its motion to dismiss could also be heard at Friday's status hearing. Hasselman said he believes the pipeline’s motion won’t be heard before February.

By way of explaining its announcement, the corps said that, for reasons of security and sensitivity, information in the environmental assessment was withheld from the public and Standing Rock. The information included a model analysis of an oil spill in Lake Oahe, a risk analysis of the horizontally directionally drilled pipeline under Lake Oahe and a comparison to the north-Bismarck pipeline route that was jettisoned by the company before any public input.

Hasselman said all three of those confidential documents were withheld from the tribes even after it brought its lawsuit.

“They were kept totally confidential, and there’s no reason for it,” said Hasselman, adding the lack of information meant there was no way for the tribes to evaluate a potential spill or the risk of a blowout during the hydraulic drilling operation. “The environmental assessment was all written by Dakota Access; the corps was at arm's length."

The lack of an alternative route in any assessment, including the north Bismarck one, is at the heart of the matter, according to Hasselman.

“It was moved away from Bismarck because of drinking water concerns and set on the tribes’ doorstep, and that’s a critical reason for how the story has unfolded,” he said.

Defending Richland-Wilkin Counties

Fargo will continue bullying their neighbors until someone says no

- JPA Editorial Board, Wahpeton Daily News

Fargo city leaders want to provide additional tax incentives for people who build in flood prone areas. Members of Fargo’s Tax Exempt Review committee last week discussed the need to help people who want to build their homes where they are at a higher risk of flooding.

City Commissioner Tony Gerhig has objected to the plan because he says it’s “beyond me” why they would pay for buyouts in some flood prone areas, then incentivize construction in others. Gerhig says he hopes the plan goes nowhere.

Mayor Tim Mahoney was critical of Gerhig’s opposition to the plan. He says they only want to help people buying lots where they already have plans for development. That consists of raising lots above the current FEMA flood plain level by hauling in fill. City codes do not require them to be higher than what future flood insurance elevation requirements will be. The “prairie dog

town" approach to development in the Davies High school area in south Fargo has been going on for several years. It is an area that Fargo leaders say will be unable to get flood insurance if FEMA raises the 100-year flood level.

This policy proposal is the poster child for why Fargo says they need to flood 50,000 acres upstream of their city. It's about provincial politics that enriches a few developers, construction companies and real estate developers in their city. Recent high river crests have been exacerbated by development that forces water out of its natural flood plain and prematurely into the river channel. City planners know it's happening and continue not only issuing building permits, but now want to provide financial incentives to make the situation worse.

Minnesota residents should be appalled at the practice. The Minnesota Department of Natural Resources has rightly labeled the diversion project as a land swap between Fargo developers and rural communities upstream. Fargo will continue bullying their neighbors until someone says no. The Richland Wilkin Joint Powers Authority is asking a federal court to do that. The Department of Natural Resources says what Fargo wants to do is illegal under Minnesota law and must stop. Federal law says the diversion cannot go forward without Minnesota's approval. Legal arguments will be in front of a federal judge again this month. Hopefully he can restore reason to the regions flood protection.

Weather Talk: Red River is faster, higher than long-term average at this time

By John Wheeler Today at 6:27 a.m.

The Red River in Fargo has been dropping slowly the past few days to around 15 feet. The river is faster and higher than the long-term average for early December, but this is of no concern as the Red has remained quietly within its banks all year thanks to two dry winters in a row. We even managed to get through a few heavy rains this summer and fall without any river flooding due to greater storage capacity in the soil. In very dry times past, the river has actually dried up. Although it has been wet around here for most of the past 25 years, there have been some severe droughts in our past when the Red River stopped flowing entirely. The last time there was no flow was in October 1976. During the severe drought of the 1930s, the winter of 1936-1937 brought 82 inches of snow, a record at the time. As the record snow melted in the spring, the Red at Fargo rose from no flow to a crest of 10 feet, which is about 5 feet lower than the stage today.

SOUTH DAKOTA:

UTAH:

Ground broken for new Sonrise church

by Kelsey Keener Iron County Today Iron County Today
Dec 08, 2016 | 97 views

On Sunday afternoon, leaders of the Sonrise Christian Fellowship broke ground on the property where the Fellowship's new church will be located. Members of the community and the congregation were there to help celebrate an accomplishment that has been 13 years in the making.

Pastor Jim Vasquez started by giving a brief overview of the Fellowship's journey in acquiring its own church building. Currently, the Fellowship meets in different places throughout Cedar City, sometimes renting rooms and spaces from existing buildings.

Pastor Vasquez said the SCF purchased land for a church on Cross Hollow Road, but was financially unable to build on it because it was floodplain land and because of difficulties with FEMA. Hearing about the SCF's struggle, a generous developer donated five acres of land off of Iron Springs Road to the Fellowship so it could build a church.

The congregation is glad for the new land, as many in attendance expressed their excitement and gratitude.

Alicia Benson, a representative from Tushar Contracting Inc., and Clarence Jones from Pacific Design Concepts, were there to show support for SCF.

Jones said the new church will be about 110 feet from the front of the road, with a parking lot in front of the building, and will be 12,000 square feet. In the future, there are plans to add another 2,000 square feet as well as things like pavilions behind the building.

After Pastor Vasquez spoke, he led everyone in a brief prayer and then anyone who brought a shovel was invited to participate in the groundbreaking.

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Professional feedback on the first draft of the recently-completed hydrology study is trickling in and some serious questions are being raised as a result.

The Town of Estes Park and Wright Water Engineers, the authors of the study, had planned to release the study to the public in October. But, after getting some comments and questions from local professionals as part of the peer review process, that release was put off until Dec. 14. It was then rescheduled for some time in early 2017 as officials work to answer the questions being raised.

Bill Van Horn, a long-time resident and licensed engineer and surveyor who currently is a consultant to Van Horn Engineering and Surveying, is one of the local professionals who has been asked to study the hydrology work and comment on it.

In a recent conversation with the Trail-Gazette, Van Horn said after reviewing the first draft of the study, he had serious concerns regarding the information used to gather the results which prompted him to submit a list of questions to the town for further review.

"I expect to receive word back from the town regarding the questions this month," Van Horn said.

Van Horn added that the first draft has also been reviewed by Van Horn Engineering and another independent party who have raised questions as well.

Although he wouldn't be specific about his questions, Van Horn said he is greatly concerned as to the impact that this study will have on the town if left in its current state. Specifically, he singled out insurance rates and the economic impact.

Town officials confirmed Wednesday that they have received Van Horn's questions and are reviewing them.

"We have received comments from several of these local stakeholders, including Mr. Van Horn, and we will be discussing responses provided by Wright Water Engineers with them soon," said Estes Park Public Information Officer Kate Rusch on Wednesday. "Once the report is finalized and receives a final review from FEMA, we will schedule a public meeting in early 2017.

"Exact dates for these steps have not been determined yet because the hydrology study itself is being revised to reflect comments from the formal peer review process. When we have the final report and FEMA has been able to review the data again, we will schedule those discussions and the public meeting.

"We have received positive comments from the State of Colorado and FEMA regarding the Town's extensive efforts to ensure a strong report to serve as the basis for future floodplain maps and decisions. Partner agencies have noted the Town's public engagement efforts for this post-flood study have been unprecedented."

Estes Park Town Administrator Frank Lancaster pointed out that the hydrology study is still in draft form and undergoing updates based the peer reviews. He called the peer reviews "a necessary and expected part" of the study process.

"Many of the changes being made to the first draft also address questions raised by local stakeholder reviewers like Mr. Van Horn," Lancaster said. "We appreciate their comments and expertise.

"This study is the foundation moving forward for flood mapping, flood insurance ratings, and for any future flood mitigation projects, so we are taking the necessary time and making sure the results are accurate and solid."

When the hydrology study is publicly released early next year, Wright Water Engineers, will make a presentation and be available to answer both general and technical questions. Staff from the Colorado Water Conservation Board will discuss preliminary floodplain maps and staff from the Colorado Resiliency and Recovery Office will be in attendance to answer questions.

The presentation will include a scientific study of the Big Thompson River, Black Canyon Creek, Dry Gulch, and Fall River. Other topics to be discussed will be a preliminary map of new floodplain boundaries in the downtown area and how this study impacts floodplain management.

MONTANA:

NORTH DAKOTA:

ND governor says pipeline company 'abdicated' role in defending project

By Patrick Springer on Dec 8, 2016 at 5:21 p.m.

Dalrymple also said in a meeting Thursday, Dec. 8, the sprawling protest presence near Cannon Ball, N.D., operates outside the control of the Standing Rock Sioux Tribe and it is difficult for officials to identify a clear leader in the shape-shifting movement.

- **Latest: It's transition time at protest camps as people start leaving**
- **Complete coverage of the Dakota Access Pipeline protests**

In a wide-ranging conversation about the state's difficulties in dealing with the ongoing protest, Dalrymple expressed frustration that the company building Dakota Access Pipeline, Energy Transfer Partners, has not been vocal in making the case for the project in the public debate.

"They have abdicated completely their responsibility to explain the safety of the pipeline," Dalrymple said, adding that the portion planned to pass under Lake Oahe on the Missouri River will be double-strength, buried more than 90 feet beneath the riverbed and carefully monitored.

"It's as safe a pipe as you can build," the governor said.

"The pipeline is great for our economy," he added, explaining that it could carry half of the oil produced in the Bakken Formation in the state.

- **Man arrested for bomb threat in WF police parking lot**

Native Americans and environmental activists have been protesting to prevent the Dakota Access Pipeline from crossing under Lake Oahe at a point that is just upstream of the Standing Rock Sioux Reservation.

The Obama administration's Army Corps of Engineers announced Sunday, Dec. 4, that it would not grant an easement allowing the pipeline to cross under Lake Oahe, despite granting other permits for the $3.8 billion project designed to carry Bakken crude oil 1,172 miles to a hub in Illinois that provides access to oil refineries near the Gulf Coast.

North Dakota officials have been busy maintaining public safety in the face of a sophisticated public relations operation involving paid protesters, strategic advice from public relations professionals and an "army" of activists posting often misleading information, including "fake news," that has shaped national media coverage, Dalrymple said.

"National media is killing us," the governor said.

"There's a new paradigm," he said, referring to the influence of social media in molding public opinion. "I try to do what I can, but I'm no match for that organization. That's a long-term challenge. That may be going on well after the pipeline is laid."

Some protesters also repeatedly provoked law enforcement officers to try to goad them into a response that would make law enforcement look bad on video that would be widely shared on social media sites, Lt. Gov. Drew Wrigley said.

One notable example came Nov. 20, he said, when protesters refused to back away from a bridge and set fires. When responders used fire hoses to douse the flames, protesters could easily have moved back away from the spray, but didn't, creating a misleading visual representation of the confrontation, Wrigley said.

Wrigley said he and Dalrymple, joined by Col. Michael Gerhart, superintendent of the North Dakota Highway Patrol, and Al Dohrmann, adjutant general of the North Dakota National Guard, as well as Ron Rauschenberger, Dalrymple's chief of staff, watched a live video feed of the confrontation.

- **'It wears on you': Cass County Sheriff reflects on months of intense DAPL protests**

"The Native Americans are being used, absolutely being used, by these outside agitators," Wrigley said. "The state of North Dakota is not in conflict with the Standing Rock tribe."

Law enforcers have made more than 500 arrests so far, with 90 percent of those arrested coming from outside the state, Gerhart said. Officers have acted with great restraint, but are forced to act when protesters break the law, he said.

"Every time it becomes dangerous is because of their actions," he said. As examples, he said officers have been shot at, have faced improvised explosive devices, and have had rocks and burning logs thrown at them.

It has been clear for months that David Archambault II, the Standing Rock tribal chairman, is not able to control many of the protesters, Dalrymple said. After the corps' announcement on Sunday, Archambault asked protesters, many living in tents or other accommodations that are no match for a harsh North Dakota winter, to go home.

"Archambault's influence is non-existent" with protesters, said Dalrymple, who said he has a good relationship with the tribal chairman and has visited with him many times during the protests, often by telephone.

North Dakota no longer has any regulatory role in determining the fate of Dakota Access Pipeline, but must provide public safety, including for the protesters, Dalrymple said. The state's cost so far is $17 million, he said.

The project will be in limbo until the Donald Trump administration takes over, Dalrymple said.

"I'm not going to lead us out of a federal easement decision," the governor said.

Tribes say corps announcement reason to stay lawsuit

- LAUREN DONOVAN Bismarck Tribune

U.S. Corps of Engineers Omaha District Commander Col. John Henderson, Standing Rock Sioux Tribe Historic Preservation Officer John Eagle and Rep. Kevin Cramer, left to right, lead a group of participants in a field examination of the Dakota Access Pipeline construction site in Morton County near Lake Oahe in October.

The Standing Rock Sioux Tribe wants its lawsuit against the U.S. Army Corps of Engineers put on hold, following the corps' announcement Sunday that it will not grant an easement for Dakota Access Pipeline to drill under the Missouri River/Lake Oahe while it examines alternate routes through the environmental impact statement process.

The motion to stay the suit was filed for Friday's status hearing in U.S. District Court in Washington with Judge James E. Boasberg.

"We're asking to put the case aside, because, depending on the outcome of an EIS, it resolves most of the tribes' concerns," said tribe attorney Jan Hasselman, of Earthjustice.

The lawsuit filed in July by Standing Rock and the Cheyenne River Sioux Tribe claims the corps failed to follow federal law or properly consult tribes when it issued a permit for the 570,000-barrel pipeline project. The suit calls for a rigorous EIS rather than the environmental assessment used by the corps to justify the permit.

The permit did not include a written easement to use corps' property to directionally drill the oil pipeline under the Missouri River/Lake Oahe. The announcement ended months of uncertainty over the easement, the lack of which has stopped the pipeline in its tracks, with no way to link pipe installed on both sides of the river.

Dakota Access is also in court following the corps' announcement. It filed a motion asking Boasberg to find that the corps did in fact issue an easement in a consent document as well as under Section 408 permissions.

The tribes' motion reserves the right to resume the suit if Boasberg agrees with Dakota Access and the company starts the drilling project. The tribes objected to a suggestion by Dakota Access that oral arguments on its motion to dismiss could also be heard at Friday's status hearing. Hasselman said he believes the pipeline's motion won't be heard before February.

By way of explaining its announcement, the corps said that, for reasons of security and sensitivity, information in the environmental assessment was withheld from the public and Standing Rock. The information included a model analysis of an oil spill in Lake Oahe, a risk analysis of the horizontally directionally drilled pipeline under Lake Oahe and a comparison to the north-Bismarck pipeline route that was jettisoned by the company before any public input.

Hasselman said all three of those confidential documents were withheld from the tribes even after it brought its lawsuit.

"They were kept totally confidential, and there's no reason for it," said Hasselman, adding the lack of information meant there was no way for the tribes to evaluate a potential spill or the risk of a blowout during the hydraulic drilling operation. "The environmental assessment was all written by Dakota Access; the corps was at arm's length."

The lack of an alternative route in any assessment, including the north Bismarck one, is at the heart of the matter, according to Hasselman.

"It was moved away from Bismarck because of drinking water concerns and set on the tribes' doorstep, and that's a critical reason for how the story has unfolded," he said.

Defending Richland-Wilkin Counties

Fargo will continue bullying their neighbors until someone says no

- JPA Editorial Board, Wahpeton Daily News

Fargo city leaders want to provide additional tax incentives for people who build in flood prone areas. Members of Fargo's Tax Exempt Review committee last week discussed the need to help people who want to build their homes where they are at a higher risk of flooding.

City Commissioner Tony Gerhig has objected to the plan because he says it's "beyond me" why they would pay for buyouts in some flood prone areas, then incentivize construction in others. Gerhig says he hopes the plan goes nowhere.

Mayor Tim Mahoney was critical of Gerhig's opposition to the plan. He says they only want to help people buying lots where they already have plans for development. That consists of raising lots above the current FEMA flood plain level by hauling in fill. City codes do not require them to be higher than what future flood insurance elevation requirements will be. The "prairie dog town" approach to development in the Davies High school area in south Fargo has been going on for several years. It is an area that Fargo leaders say will be unable to get flood insurance if FEMA raises the 100-year flood level.

This policy proposal is the poster child for why Fargo says they need to flood 50,000 acres upstream of their city. It's about provincial politics that enriches a few developers, construction companies and real estate developers in their city. Recent high river crests have been exacerbated by development that forces water out of its natural flood plain and prematurely into the river channel. City planners know it's happening and continue not only issuing building permits, but now want to provide financial incentives to make the situation worse.

Minnesota residents should be appalled at the practice. The Minnesota Department of Natural Resources has rightly labeled the diversion project as a land swap between Fargo developers and rural communities upstream. Fargo will continue bullying their neighbors until someone says no. The Richland Wilkin Joint Powers Authority is asking a federal court to do that. The Department of Natural Resources says what Fargo wants to do is illegal under Minnesota law and must stop. Federal law says the diversion cannot go forward without Minnesota's approval. Legal arguments will be in front of a federal judge again this month. Hopefully he can restore reason to the regions flood protection.

Weather Talk: Red River is faster, higher than long-term average at this time

By John Wheeler Today at 6:27 a.m.

The Red River in Fargo has been dropping slowly the past few days to around 15 feet. The river is faster and higher than the long-term average for early December, but this is of no concern as the Red has remained quietly within its banks all year thanks to two dry winters in a row. We even managed to get through a few heavy rains this summer and fall without any river flooding due to greater storage capacity in the soil. In very dry times past, the river has actually dried up. Although it has been wet around here for most of the past 25 years, there have been some severe droughts in our past when the Red River stopped flowing entirely. The last time there was no flow was in October 1976. During the severe drought of the 1930s, the winter of 1936-1937 brought 82 inches of snow, a record at the time. As the record snow melted in the spring, the Red at Fargo rose from no flow to a crest of 10 feet, which is about 5 feet lower than the stage today.

SOUTH DAKOTA:

UTAH:

Ground broken for new Sonrise church

by Kelsey Keener Iron County Today
Dec 08, 2016 | 97 views

On Sunday afternoon, leaders of the Sonrise Christian Fellowship broke ground on the property where the Fellowship's new church will be located. Members of the community and the congregation were there to help celebrate an accomplishment that has been 13 years in the making.

Pastor Jim Vasquez started by giving a brief overview of the Fellowship's journey in acquiring its own church building. Currently, the Fellowship meets in different places throughout Cedar City, sometimes renting rooms and spaces from existing buildings.

Pastor Vasquez said the SCF purchased land for a church on Cross Hollow Road, but was financially unable to build on it because it was floodplain land and because of difficulties with FEMA. Hearing about the SCF's struggle, a generous developer donated five acres of land off of Iron Springs Road to the Fellowship so it could build a church.

The congregation is glad for the new land, as many in attendance expressed their excitement and gratitude.

Alicia Benson, a representative from Tushar Contracting Inc., and Clarence Jones from Pacific Design Concepts, were there to show support for SCF.

Jones said the new church will be about 110 feet from the front of the road, with a parking lot in front of the building, and will be 12,000 square feet. In the future, there are plans to add another 2,000 square feet as well as things like pavilions behind the building.

After Pastor Vasquez spoke, he led everyone in a brief prayer and then anyone who brought a shovel was invited to participate in the groundbreaking.

WYOMING:

FEMA-RELATED STORIES:

From: DeFelice, Jerome
Sent: 25 Nov 2016 10:49:48 -0500
To: R8 ALL PFTs-CORES
Cc: (b)(6) (b)(6)@state.co.us;(b)(6)@mail.mil;(b)(6)@mail.mil;(b)(6)@nd.gov;(b)(6)@state.sd.us;(b)(6)@state.sd.us;(b)(6)@utah.gov(b)(6)@wyo.gov;(b)(6)@acf.hhs.gov;(b)(6)@usace.army.mil;(b)(6)@usace.army.mil;(b)(6)@state.mn.us;Peterson, Mark J;(b)(6)@hhs.gov(b)(6)@hhs.gov;(b)(6)@hhs.gov(b)(6)@sba.gov;(b)(6)@sba.gov;Nelson, Jason;(b)(6)@fs.fed.us;Alexander, Daniel
Subject: Region VIII News Clips, Friday, November 25
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DES to request additional $7 million for DAPL response

- NICK SMITH Bismarck Tribune

North Dakota Emergency Commission members began the month of November by approving state funds for addressing law enforcement costs relating to Dakota Access Pipeline protests and it will end the month on the same note.

Commission members, on Wednesday, will be facing a request to increase a line of credit by $7 million. If approved, that would bring the total amount of money available to the North Dakota Department of Emergency Services to $17 million.

DES spokeswoman Cecily Fong said, as of this week, more than $11.8 million has been spent to address the ongoing protest movement in southern Morton County.

Opponents of the Dakota Access Pipeline have argued that, if the pipeline goes under the Missouri River less than a mile from the Standing Rock Sioux Tribe's reservation boundary as planned, it could endanger the water supply for millions of people.

Demonstrations in the region have led to more than 500 arrests since August and required the assistance of law enforcement throughout North Dakota and surrounding states, leading to the $17 million in requests.

Of the money spent so far, $9.5 million has been in personnel costs to agencies, $1.58 million in equipment and supplies and the remaining $737,000 in personnel support.

“As other agencies incur costs, they keep us appraised,” DES spokeswoman Cecily Fong said.

Six agencies are requesting the funds through the DES to offset costs related to protests of the Dakota Access Pipeline. Each exceeds a $50,000 threshold and will require Budget Section approval. The Budget Section meets Dec. 7, following the end of a three-day organizational session of the Legislature.

“I don’t think it’s going to be the last numbers we see unless something drastically changes,” said Emergency Commission member Rep. Al Carlson, R-Fargo. “It’s one of those things you have to prioritize, and we’ll have to do it.”

Carlson once again said the federal government should be ponying up dollars and resources to offset state costs incurred from a situation that involves federal land.

“It’s a little disturbing, the lack of federal support,” said Carlson, who expects the federal response to be more forthcoming after President-elect Donald Trump takes office in January.

“Our law enforcement is doing a terrific job,” Emergency Commission member Sen. Rich Wardner, R-Dickinson, said.

The state’s Disaster Relief Fund should be an option for offsetting the costs, according to Wardner.

“This is a disaster,” he said of the situation.

Regardless of the cost, Wardner said the pressure on the federal government to help cover costs will continue.

Agency needs

The largest request is from the North Dakota Highway Patrol, for $3.9 million in additional spending authority for its operations in responding to protesters. The authority would run through March 31 and includes overtime pay, meals, lodging, mileage and supplies.

Funding requested by the North Dakota Department of Health totals more than $2.5 million. This would offset costs of medical response and food services for law enforcement as well as first responders.

Nearly half of the $200,500 for the North Dakota Game and Fish Department is for supplies, overtime pay as well as costs relating to use of planes and boats at the scene of protests.

North Dakota Department of Transportation dollars total $162,350 in its request. Of the request, $30,025 is related to damages to infrastructure, including a bridge, roadways and guardrails.

(Reach Nick Smith at 701-250-8255 or 701-223-8482 or at nick.smith@bismarcktribune.com.)

Flood Protection System Gives Grand Forks Security, But Expert Says Flooding Is A Possibility

By John Hageman
Forum of Fargo-Moorhead (ND), November 23, 2016

GRAND FORKS — Steve Gander has lived through a handful of major floods in the Grand Forks area, including the record 1997 Red River flood that decimated the two communities bordering the sleepy river.

But two decades later, Gander isn't concerned about another similar disaster.

"I probably have about as much worry about the repeat, massive flood through our community as I (worry about) a piano falling on my head," the incoming mayor of East Grand Forks said.

The 1997 flood, often referred to simply as "The Flood" by locals, was disastrous enough that some believed Grand Forks and East Grand Forks would simply die off, Gander said. But it also resulted in the construction of a massive flood protection project that gives people like Gander confidence the two cities could fight off another major flood.

So far, they've been right. Historically high river crests in recent years have been quelled without the same efforts of past flood fights, when residents rallied to fill sandbags to block the rising waters from reaching their homes.

But could Grand Forks be flooded again? Greg Gust, a warning coordination meteorologist with the National Weather Service in Grand Forks, said it's "physically possible" there would be a large enough flood to overwhelm the protection system in place today. That would depend on a number of factors, including the timing of crests from the Red Lake and the Red rivers, which meet just south of DeMers Avenue, as well as the amount of local rainfall, he said.

"Those things are not way outside the line of reason," Gust said.

Officials from the cities of Grand Forks and East Grand Forks, however, appear comfortable with the level of protection the city now has.

Mark Walker, Grand Forks' assistant city engineer, said the city's flood protection system was designed to handle a repeat of the 1997 flood. It also accounts for some "uncertainty," waves and ice blockage that could come into play, he said.

"Could it handle something greater? Yeah, it could," Walker said. "But the higher you get, the more concerning it would be that you're getting closer to the tops of the levees."

The top of the Grand Forks levee is almost 6 feet above the record river crest of about 54 feet set April 22, 1997, and the the top of the floodwalls are almost 9 feet above that level. A Grand Forks fact sheet said the city could successfully fight a 500-year flood by adding clay on the top of the levees.

Ken Vein, who was Grand Forks' engineer and public works director during the flood and who now is a Grand Forks City Council member, said there's a "night-and-day" difference between the protection in place today and before the flood. Residents today are "far less concerned" about the possibility of a flood than they were in the past, he said.

"We've had some floods of significance where people haven't even realized it's going on," Vein said.

'Built to flood'

On April 18, 1997, Grand Forks ordered the evacuation of the Lincoln Park neighborhood as "boils" appeared in the levee. Riverside and Central Park neighborhoods also were evacuated that day, as was the Point in East Grand Forks after the levee there was breached.

The Red River continued to rise for a few days, ultimately cresting at a record 54.35 feet, 4 feet higher than the previous record reached 100 years before. News reports pegged the damage to Grand Forks and East Grand Forks at about $2 billion.

But the seeds of that disaster were planted months before.

"It generally takes more than one year to produce a really big flood," Gust said. "It's usually the year before that has set the stage by having so much excess water in the system."

A recent flood plan from the Federal Emergency Management Agency states that the Red River Valley has the greatest potential for a catastrophic flooding when a number of factors are in place: greater than normal liquid precipitation in September and October, deep frost penetration before the

first major snow, greater than normal snowfall in the winter, below normal temperatures in March and early April followed by rapid warming, and greater than normal liquid precipitation during the spring snowmelt.

Between September 1996 and April 1997, more than 200 percent of normal snowfall was observed over most of North Dakota, western Minnesota and northeastern South Dakota, according to the National Oceanic and Atmospheric Administration, which also described an "abnormal thaw" as a contributing factor to the flood.

But there are some inherent characteristics of the Red River itself that leads to consistent flooding. It's one of the few rivers in the U.S. that flows directly north, according to the U.S. Geological Survey. That, in junction with the basin's flatness and the shallow river channel, means the timing of the spring thaw and snowmelt can "greatly aggravate flooding," the USGS said.

"Snow in the headwaters of the Red River basin begins to melt first, when areas downstream remain largely frozen," a USGS report said. "This melt pattern can cause ice jams to form, and substantial backwater can occur as flow moves north toward the ice jams and frozen river-channel ice."

Recent history has shown the river to be especially flood-prone. Six of the 10 highest river crests at Grand Forks occurred between 1996 and 2011, according to the National Weather Service.

"This valley is built to flood," Gust said.

The penchant for springtime disasters contrasts with the natural beauty the river offers. Gander called it "a little piece of wilderness running through your town" that provides its residents with plenty of recreational opportunities.

"It was almost like an old friendly dog that sat at your feet, but then one day it stood up and bit you," he said. "But many of us said, 'We love this community, we love this area, and if we sort of tame this river, we can turn it back into a friend, an asset.'"

'No concern'

Pat Grinde lives just down the street from a grassy hillside that separates her neighborhood from the Red River, near Riverside Park on Grand Forks' north side.

It was two decades ago that the Red River flood left an inch of water in the main floor of her home. But now she says she never worries about the possibility of another flood. She pointed to the system of levees, floodwalls and water pumps protecting her neighborhood and the rest of the city from such a disaster.

"I have absolutely no concern about the river ever topping the system that they've got here in Grand Forks," she said.

Some pieces of that flood protection system stay largely out of the public eye. In a storage garage near the Grand Forks Public Works facility, stacks of aluminum beams that make up temporary floodwalls at road crossings sit ready to be erected.

Across town, a cavernous well sits under the flood pumping station on North Third Street. In the event of a flood, that facility pumps excess water out of the city's stormwater system over the levee.

Adjacent to that station sits a grassy levee connected to a concrete floodwall. On the east side of that barrier, runners and bikers often can be spotted on the Greenway. On the west side, a row of homes sit across the street, the wall blocking their view of the Red River.

The $409 million Army Corps of Engineers project, almost half of which was paid for by the federal government, includes miles of levees and floodwalls in Grand Forks and East Grand Forks, along with almost two dozen pump stations and a diversion channel in each city, according to officials from both sides of the river.

A city of Grand Forks fact sheet states the levees are 60 feet above the river gauge—the theoretical bottom of the river—and the walls are 3 feet higher than that. Jason Stordahl, East Grand Forks' public works director, said they are protected to 60 feet.

Gander recalled the flood of 1979, when the water reached 48.8 feet, as a time that "heroic efforts" helped save the town. Thirty years later, the river crested at about the same level, but Gander remembers going home and sleeping "like a baby" instead of spending long hours hauling sandbags.

"We were good at fighting floods," Vein said. "I think after 20 years, people have kind of gotten used to the new normal."

Historic crests, Red River at Grand Forks/East Grand Forks

1. 54.35 feet on April 22, 1997
2. 50.20 feet on April 10, 1897
3. 49.86 feet on April 14, 2011
4. 49.33 feet on April 1, 2009
5. 48.81 feet on April 26, 1979
6. 48 feet on April 18, 1882
7. 47.93 feet on April 6, 2006
8. 46.09 feet on March 20, 2010
9. 45.93 feet on April 21, 1996
10. 45.73 feet on April 11, 1978

US: HOEVEN MARKS DEDICATION OF FARGO FLOODWALL, WORKED TO SECURE FUNDING

Project Updates // November 24, 2016

Senator John Hoeven joined local officials in Fargo to dedicate the city's new floodwall, the first complete portion of the federal flood protection project for the region.

The US$40 million project includes the floodwall and road realignments and was paid for with federal, state and local funding. The floodwall was added as a modification to the Army Corps of Engineers' original flood project and allows greater river flows through the city, up to 35ft, removes the need for temporary clay levees along 2nd Street in Fargo and substantially reduces the need for upstream staging during major flood events.

"Fargo's new floodwall is an important milestone in our fight against threat of flooding in the Red River Valley," Hoeven said. "This infrastructure not only removes the need for costly and temporary levees in Fargo, which have been installed five times since 2009, it also helps address the concerns of the surrounding areas. We continue working with all groups, including upstream groups and the State of Minnesota, to find these kinds of solutions and advance permanent, comprehensive flood protection for the whole region."

Hoeven continues his efforts to secure comprehensive flood protection for the Red River Valley. Last month, the senator arranged a meeting in DC between the mayors of Fargo and Moorhead, Tim Mahoney and Del Rae Williams, and federal officials, including Office of Management and Budget (OMB) Director Shaun Donovan and Assistant Secretary of the Army for Civil Works Jo-Ellen Darcy, who oversees the Corps. Hoeven also hosted Lt. Gen. Todd Semonite, the new chief of the Corps, in Fargo this August to press for continued support for permanent flood protection.

At the same time, Hoeven is working as a member of the Energy and Water Appropriations Committee to ensure the Corps has the funding it needs to sustain the construction of the project. Hoeven wrote and secured language in the last December's funding bill authorizing and funding new construction activity, which was needed to advance the project. The project was subsequently selected for a construction start in the Corps' Fiscal Year 2016 work plan and the Project Partnership.

SOUTH DAKOTA:

Lake Oahe salmon fishery still rebuilding after flood

- By Nick Lowrey Nick.lowrey@capjournal.com
- Updated 16 hrs ago

With a little help from their friends, the South Dakota Game, Fish and Parks Department was able to secure enough salmon eggs to have a good hope of meeting the 2017 stocking goal.

The department hopes to release around 300,000 salmon into Lake Oahe next year, said Bob Hanten the fisheries biologist that oversees coldwater fish in the lake. That's about 254,000 more salmon than were released this year.

"We're just trying to bump up our salmon numbers," Hanten said.

Lake Oahe's salmon population has had a rough four years. In 2011 the massive flood flushed thousands of the fish through Oahe Dam and further down the Missouri River. Nebraska set its Chinook salmon state record several times that year. Usually, there are no salmon that far south.

After the flood, Lake Oahe was very low on bait fish, which also were flushed through the dam. So, when salmon were being stocked in 2012 and 2013, they became prime targets for large predator fish such as pike, bass and walleye. That, at least, is what Hanten said he believes happened. There's no way to know for sure.

Bait fish numbers have rebounded since the flood. Lake herring in particular have filled a void left by drastically reduced numbers of rainbow smelt. More baitfish likely means young salmon have a better chance at survival and older salmon have been much healthier and bigger for the last two years.

Still, Hanten said, the overall number of salmon is low. Through a combination of the Whitlock Bay Salmon Spawning Station and electrofishing in 2015, GFP was able to collect around 473,000 eggs. That was far short of the state's goal of around 1 million eggs.

Egg quality was poor too. By the time spring of 2016 rolled around there were just 46,000 salmon to stock.

This fall, GFP was only able to collect 388,265 eggs on it's own. Hanten said. Quality of the eggs looked better, Hanten said. Even in a typical year about one-third of salmon eggs will actually develop into juvenile fish, however.

Luckily both North Dakota and Montana saw solid salmon spawn this year, Hanten said. Those two states and South Dakota work together on their salmon fisheries and North Dakota was able to give South Dakota 351,000 fertilized eggs. Hanten said GFP was able to secure another 125,000 eyed eggs — eggs in which eyes can be see developing — as well this year. About 95 percent of eyed eggs typically develop into juvenile salmon.

"We're in really good shape," Hanten said.

Salmon anglers last summer also reported catching small, "shaker" or young salmon, a development that points to there being more salmon in Lake Oahe, Hanten said.

"That provides us with a little more optimism," he said.

Still, the Lake Oahe salmon fishery has a ways to go before it's back to its post flood condition, Hanten said.

"We're still in a rebuilding phase for the next few years," he said.

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Weather Apps To Download And Store Up For Winter

By Kit Eaton

New York Times, November 23, 2016

LIKE it or not, winter is coming. Apart from layering up, you can turn to your phone to help you brave the rain, wind or snow ahead.

Weather apps are abundant in mobile app stores, and my new favorite is Fire + Rain. Unlike many other weather apps, it keeps weather data simple.

Built on information from the Weather Network, the app's display is streamlined and easy to understand. The screen's color corresponds with the forecast, and the temperature is displayed in large type. Alongside this are a small icon and a simple phrase describing the weather, like "light rain" or "cloudy with showers."

You get, at a glance, everything you need to know about the coming weather where you are. Swipe down the screen to see hourly and daily forecasts; tap to swap between a 36-hour detailed forecast and a two-week forecast. If you see the words "heavy snow" in tomorrow morning's forecast, you'll know to make the necessary preparations tonight. Fire + Rain is free on iOS.

For people who like detailed weather forecasts, there is RainAware. This app belongs to the new breed of weather apps that try to deliver extremely accurate weather data based on the time and your precise location. The app uses GPS to detect where you are, and then it pulls forecast data from its system, including detailed radar scans.

Instead of the typical approximation other weather apps might offer, like "50 percent chance of storms," RainAware has concrete alerts, like "It's going to rain in 30 minutes." The app's radar maps are also neat: They show how rain clouds are moving near you and predict where they will go next, so you can see how the weather is going to change.

RainAware has a lot of features, including a weather clock showing the forecast in 15-minute increments, so it may take some getting used to. But it's an excellent option. It costs $5 on iOS and $4 on Android.

Another app, Storm Radar from Weather Underground, is a source that television weather forecasters consult before they step in front of the camera. This weather app has high-resolution radar maps and storm-tracking algorithms to figure out if you are in the path of a nearby weather event. It even has lightning alerts for a 100-mile radius around your location.

Data on variables like dew point and humidity can be viewed as colored patterns on a map, or as graphs or charts. You can also get highly localized weather alerts — for example, the app told me there were two "coastal event" alerts as high winds and high tides threatened the seafront zone near my home. If you prefer a text-based forecast, Storm Radar offers that too.

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Region VIII Clips
Friday, November 25, 2016

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DES to request additional $7 million for DAPL response

- NICK SMITH Bismarck Tribune

North Dakota Emergency Commission members began the month of November by approving state funds for addressing law enforcement costs relating to Dakota Access Pipeline protests and it will end the month on the same note.

Commission members, on Wednesday, will be facing a request to increase a line of credit by $7 million. If approved, that would bring the total amount of money available to the North Dakota Department of Emergency Services to $17 million.

DES spokeswoman Cecily Fong said, as of this week, more than $11.8 million has been spent to address the ongoing protest movement in southern Morton County.

Opponents of the Dakota Access Pipeline have argued that, if the pipeline goes under the Missouri River less than a mile from the Standing Rock Sioux Tribe's reservation boundary as planned, it could endanger the water supply for millions of people.

Demonstrations in the region have led to more than 500 arrests since August and required the assistance of law enforcement throughout North Dakota and surrounding states, leading to the $17 million in requests.

Of the money spent so far, $9.5 million has been in personnel costs to agencies, $1.58 million in equipment and supplies and the remaining $737,000 in personnel support.

"As other agencies incur costs, they keep us appraised," DES spokeswoman Cecily Fong said.

Six agencies are requesting the funds through the DES to offset costs related to protests of the Dakota Access Pipeline. Each exceeds a $50,000 threshold and will require Budget Section approval. The Budget Section meets Dec. 7, following the end of a three-day organizational session of the Legislature.

"I don't think it's going to be the last numbers we see unless something drastically changes," said Emergency Commission member Rep. Al Carlson, R-Fargo. "It's one of those things you have to prioritize, and we'll have to do it."

Carlson once again said the federal government should be ponying up dollars and resources to offset state costs incurred from a situation that involves federal land.

"It's a little disturbing, the lack of federal support," said Carlson, who expects the federal response to be more forthcoming after President-elect Donald Trump takes office in January.

"Our law enforcement is doing a terrific job," Emergency Commission member Sen. Rich Wardner, R-Dickinson, said.

The state's Disaster Relief Fund should be an option for offsetting the costs, according to Wardner.

"This is a disaster," he said of the situation.

Regardless of the cost, Wardner said the pressure on the federal government to help cover costs will continue.

Agency needs

The largest request is from the North Dakota Highway Patrol, for $3.9 million in additional spending authority for its operations in responding to protesters. The authority would run through March 31 and includes overtime pay, meals, lodging, mileage and supplies.

Funding requested by the North Dakota Department of Health totals more than $2.5 million. This would offset costs of medical response and food services for law enforcement as well as first responders.

Nearly half of the $200,500 for the North Dakota Game and Fish Department is for supplies, overtime pay as well as costs relating to use of planes and boats at the scene of protests.

North Dakota Department of Transportation dollars total $162,350 in its request. Of the request, $30,025 is related to damages to infrastructure, including a bridge, roadways and guardrails.

(Reach Nick Smith at 701-250-8255 or 701-223-8482 or at nick.smith@bismarcktribune.com.)

Flood Protection System Gives Grand Forks Security, But Expert Says Flooding Is A Possibility

By John Hageman

Forum of Fargo-Moorhead (ND), November 23, 2016

GRAND FORKS — Steve Gander has lived through a handful of major floods in the Grand Forks area, including the record 1997 Red River flood that decimated the two communities bordering the sleepy river.

But two decades later, Gander isn't concerned about another similar disaster.

"I probably have about as much worry about the repeat, massive flood through our community as I (worry about) a piano falling on my head," the incoming mayor of East Grand Forks said.

The 1997 flood, often referred to simply as "The Flood" by locals, was disastrous enough that some believed Grand Forks and East Grand Forks would simply die off, Gander said. But it also resulted in the construction of a massive flood protection project that gives people like Gander confidence the two cities could fight off another major flood.

So far, they've been right. Historically high river crests in recent years have been quelled without the same efforts of past flood fights, when residents rallied to fill sandbags to block the rising waters from reaching their homes.

But could Grand Forks be flooded again? Greg Gust, a warning coordination meteorologist with the National Weather Service in Grand Forks, said it's "physically possible" there would be a large enough

flood to overwhelm the protection system in place today. That would depend on a number of factors, including the timing of crests from the Red Lake and the Red rivers, which meet just south of DeMers Avenue, as well as the amount of local rainfall, he said.

"Those things are not way outside the line of reason," Gust said.

Officials from the cities of Grand Forks and East Grand Forks, however, appear comfortable with the level of protection the city now has.

Mark Walker, Grand Forks' assistant city engineer, said the city's flood protection system was designed to handle a repeat of the 1997 flood. It also accounts for some "uncertainty," waves and ice blockage that could come into play, he said.

"Could it handle something greater? Yeah, it could," Walker said. "But the higher you get, the more concerning it would be that you're getting closer to the tops of the levees."

The top of the Grand Forks levee is almost 6 feet above the record river crest of about 54 feet set April 22, 1997, and the the top of the floodwalls are almost 9 feet above that level. A Grand Forks fact sheet said the city could successfully fight a 500-year flood by adding clay on the top of the levees.

Ken Vein, who was Grand Forks' engineer and public works director during the flood and who now is a Grand Forks City Council member, said there's a "night-and-day" difference between the protection in place today and before the flood. Residents today are "far less concerned" about the possibility of a flood than they were in the past, he said.

"We've had some floods of significance where people haven't even realized it's going on," Vein said.

'Built to flood'

On April 18, 1997, Grand Forks ordered the evacuation of the Lincoln Park neighborhood as "boils" appeared in the levee. Riverside and Central Park neighborhoods also were evacuated that day, as was the Point in East Grand Forks after the levee there was breached.

The Red River continued to rise for a few days, ultimately cresting at a record 54.35 feet, 4 feet higher than the previous record reached 100 years before. News reports pegged the damage to Grand Forks and East Grand Forks at about $2 billion.

But the seeds of that disaster were planted months before.

"It generally takes more than one year to produce a really big flood," Gust said. "It's usually the year before that has set the stage by having so much excess water in the system."

A recent flood plan from the Federal Emergency Management Agency states that the Red River Valley has the greatest potential for a catastrophic flooding when a number of factors are in place: greater than normal liquid precipitation in September and October, deep frost penetration before the first major snow, greater than normal snowfall in the winter, below normal temperatures in March and early April followed by rapid warming, and greater than normal liquid precipitation during the spring snowmelt.

Between September 1996 and April 1997, more than 200 percent of normal snowfall was observed over most of North Dakota, western Minnesota and northeastern South Dakota, according to the National Oceanic and Atmospheric Administration, which also described an "abnormal thaw" as a contributing factor to the flood.

But there are some inherent characteristics of the Red River itself that leads to consistent flooding. It's one of the few rivers in the U.S. that flows directly north, according to the U.S. Geological Survey. That, in junction with the basin's flatness and the shallow river channel, means the timing of the spring thaw and snowmelt can "greatly aggravate flooding," the USGS said.

"Snow in the headwaters of the Red River basin begins to melt first, when areas downstream remain largely frozen," a USGS report said. "This melt pattern can cause ice jams to form, and substantial backwater can occur as flow moves north toward the ice jams and frozen river-channel ice."

Recent history has shown the river to be especially flood-prone. Six of the 10 highest river crests at Grand Forks occurred between 1996 and 2011, according to the National Weather Service.

"This valley is built to flood," Gust said.

The penchant for springtime disasters contrasts with the natural beauty the river offers. Gander called it “a little piece of wilderness running through your town” that provides its residents with plenty of recreational opportunities.

“It was almost like an old friendly dog that sat at your feet, but then one day it stood up and bit you,” he said. “But many of us said, ‘We love this community, we love this area, and if we sort of tame this river, we can turn it back into a friend, an asset.’”

‘No concern’

Pat Grinde lives just down the street from a grassy hillside that separates her neighborhood from the Red River, near Riverside Park on Grand Forks’ north side.

It was two decades ago that the Red River flood left an inch of water in the main floor of her home. But now she says she never worries about the possibility of another flood. She pointed to the system of levees, floodwalls and water pumps protecting her neighborhood and the rest of the city from such a disaster.

“I have absolutely no concern about the river ever topping the system that they’ve got here in Grand Forks,” she said.

Some pieces of that flood protection system stay largely out of the public eye. In a storage garage near the Grand Forks Public Works facility, stacks of aluminum beams that make up temporary floodwalls at road crossings sit ready to be erected.

Across town, a cavernous well sits under the flood pumping station on North Third Street. In the event of a flood, that facility pumps excess water out of the city’s stormwater system over the levee.

Adjacent to that station sits a grassy levee connected to a concrete floodwall. On the east side of that barrier, runners and bikers often can be spotted on the Greenway. On the west side, a row of homes sit across the street, the wall blocking their view of the Red River.

The $409 million Army Corps of Engineers project, almost half of which was paid for by the federal government, includes miles of levees and floodwalls in Grand Forks and East Grand Forks, along with almost two dozen pump stations and a diversion channel in each city, according to officials from both sides of the river.

A city of Grand Forks fact sheet states the levees are 60 feet above the river gauge—the theoretical bottom of the river—and the walls are 3 feet higher than that. Jason Stordahl, East Grand Forks’ public works director, said they are protected to 60 feet.

Gander recalled the flood of 1979, when the water reached 48.8 feet, as a time that “heroic efforts” helped save the town. Thirty years later, the river crested at about the same level, but Gander remembers going home and sleeping “like a baby” instead of spending long hours hauling sandbags.

“We were good at fighting floods,” Vein said. “I think after 20 years, people have kind of gotten used to the new normal.”

Historic crests, Red River at Grand Forks/East Grand Forks

1. 54.35 feet on April 22, 1997
2. 50.20 feet on April 10, 1897
3. 49.86 feet on April 14, 2011
4. 49.33 feet on April 1, 2009
5. 48.81 feet on April 26, 1979
6. 48 feet on April 18, 1882
7. 47.93 feet on April 6, 2006
8. 46.09 feet on March 20, 2010
9. 45.93 feet on April 21, 1996
10. 45.73 feet on April 11, 1978

US: HOEVEN MARKS DEDICATION OF FARGO FLOODWALL, WORKED TO SECURE FUNDING

Project Updates // November 24, 2016

Senator John Hoeven joined local officials in Fargo to dedicate the city's new floodwall, the first complete portion of the federal flood protection project for the region.

The US$40 million project includes the floodwall and road realignments and was paid for with federal, state and local funding. The floodwall was added as a modification to the Army Corps of Engineers' original flood project and allows greater river flows through the city, up to 35ft, removes the need for temporary clay levees along 2nd Street in Fargo and substantially reduces the need for upstream staging during major flood events.

"Fargo's new floodwall is an important milestone in our fight against threat of flooding in the Red River Valley," Hoeven said. "This infrastructure not only removes the need for costly and temporary levees in Fargo, which have been installed five times since 2009, it also helps address the concerns of the surrounding areas. We continue working with all groups, including upstream groups and the State of Minnesota, to find these kinds of solutions and advance permanent, comprehensive flood protection for the whole region."

Hoeven continues his efforts to secure comprehensive flood protection for the Red River Valley. Last month, the senator arranged a meeting in DC between the mayors of Fargo and Moorhead, Tim Mahoney and Del Rae Williams, and federal officials, including Office of Management and Budget (OMB) Director Shaun Donovan and Assistant Secretary of the Army for Civil Works Jo-Ellen Darcy, who oversees the Corps. Hoeven also hosted Lt. Gen. Todd Semonite, the new chief of the Corps, in Fargo this August to press for continued support for permanent flood protection.

At the same time, Hoeven is working as a member of the Energy and Water Appropriations Committee to ensure the Corps has the funding it needs to sustain the construction of the project. Hoeven wrote and secured language in the last December's funding bill authorizing and funding new construction activity, which was needed to advance the project. The project was subsequently selected for a construction start in the Corps' Fiscal Year 2016 work plan and the Project Partnership.

SOUTH DAKOTA:

Lake Oahe salmon fishery still rebuilding after flood

- By Nick Lowrey Nick.lowrey@capjournal.com
- Updated 16 hrs ago

With a little help from their friends, the South Dakota Game, Fish and Parks Department was able to secure enough salmon eggs to have a good hope of meeting the 2017 stocking goal.

The department hopes to release around 300,000 salmon into Lake Oahe next year, said Bob Hanten the fisheries biologist that oversees coldwater fish in the lake. That's about 254,000 more salmon than were released this year.

"We're just trying to bump up our salmon numbers," Hanten said.

Lake Oahe's salmon population has had a rough four years. In 2011 the massive flood flushed thousands of the fish through Oahe Dam and further down the Missouri River. Nebraska set its Chinook salmon state record several times that year. Usually, there are no salmon that far south.

After the flood, Lake Oahe was very low on bait fish, which also were flushed through the dam. So, when salmon were being stocked in 2012 and 2013, they became prime targets for large predator fish such as pike, bass and walleye. That, at least, is what Hanten said he believes happened. There's no way to know for sure.

Bait fish numbers have rebounded since the flood. Lake herring in particular have filled a void left by drastically reduced numbers of rainbow smelt. More baitfish likely means young salmon have a better chance at survival and older salmon have been much healthier and bigger for the last two years.

Still, Hanten said, the overall number of salmon is low. Through a combination of the Whitlock Bay Salmon Spawning Station and electrofishing in 2015, GFP was able to collect around 473,000 eggs. That was far short of the state's goal of around 1 million eggs.

Egg quality was poor too. By the time spring of 2016 rolled around there were just 46,000 salmon to stock.

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Sent: 19 Dec 2016 12:07:55 -0500
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MONTANA:

Blizzard Conditions Shut Down Montana Interstate Highway

Associated Press, December 18, 2016

BILLINGS, Mont. (AP) – Blizzard conditions are being reported in Livingston, with visibility reported at less than a quarter of a mile.

The National Weather Service says Interstate 90 has been closed from Park City to Springdale because of dangerous driving conditions.

Authorities urged people to stay home, and warned those who venture out could not only endanger themselves, but others who might have to rescue them.

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NORTH DAKOTA:

Massive 2013 oil spill in North Dakota still not cleaned up

- Associated Press
- 18 hrs ago

BISMARCK, N.D. — Three years and three months later, a massive oil spill in North Dakota still isn't fully cleaned up. The company responsible hasn't even set a date for completion.

Though crews have been working around the clock to deal with the Tesoro Corp. pipeline break, which happened in a wheat field in September 2013, less than a third of the 840,000 gallons that spilled has been recovered — or ever will be, North Dakota Health Department environmental scientist Bill Suess said.

A farmer, Steve Jenkins, who'd smelled the crude oil for days, discovered the spill in his northwestern North Dakota field near Tioga — his combines' tires were covered in it.

While the nearest home was a half-mile away and the state said no water sources were contaminated and no wildlife hurt, one of the largest onshore oil spills recorded in the U.S. serves for some as a cautionary example, especially given a recent pipeline break about 150 miles south and ongoing debates over the four-state Dakota Access pipeline.

"What happened to us happened and we can't go back," said Patty Jensen, Steve's wife. This month's pipeline break in Belfield, which belched an estimated 176,000 gallons of oil into a creek that feeds into the Little Missouri River, a tributary of the Missouri River, really rankled her.

"But I get really upset when I hear of a new one and I wonder what is being done to prevent these spills," she said.

Both the Tesoro break and the Belfield break occurred on 6-inch steel pipelines — a part of a large network pipelines that crisscross western North Dakota's oil patch. By comparison, the Dakota Access pipeline is made of 30-inch steel and will carry nearly 20 million gallons daily.

The Tesoro spill was not far from where oil was first discovered in North Dakota in 1951.The Texas-based company and federal regulators have said a lightning strike may have caused the 2013 rupture in the pipeline, which runs from Tioga to a rail facility outside of Columbus, near the Canadian border.

North Dakota regulators initially thought just 750 barrels of oil was involved in the spill, but later updated the amount exponentially. They also expanded the affected acreage from about 7 — the size of seven football fields — to about 13 acres, Suess said. The cleanup has cost Tesoro more than $49 million to date and is expected to top $60 million, according to recent filings to the state.

Tesoro spokeswoman Destin Singleton said she could not immediately confirm the numbers, and noted the cleanup completion date remains unknown. The pipeline was monitored remotely, but the company has said the spill wasn't detected.

Crews have had to dig as deep as 50 feet to remove hundreds of thousands of tons of oil-tainted soil, Suess said. The company has now switched to special equipment that cooks hydrocarbons from crude-soaked soil in a process called thermal desorption before putting it back in place.

The Dec. 5 spill on the Belle Fourche pipeline also was discovered by a landowner. Crude oil migrated about almost 6 miles from the spill site along Ash Coulee Creek, and fouled an unknown amount of private and U.S. Forest Service land along the waterway. Seuss said it appears no oil got as far as the Little Missouri River, and no drinking water sources were threatened.

It's not yet clear why monitoring equipment didn't detect the leak, according to Wendy Owen, a spokeswoman for Casper, Wyoming-based True Cos., which operates the pipeline.

The Dakota Access pipeline builder, Texas-based Energy Transfer Partners, has said the project will be safe and that workers remotely monitoring the pipeline will be able to shut it down if a leak is detected.

Owen said didn't know how long it would take to clean the Belle Fourche spill, given that wintry weather was slowing down the progress, or how much it would cost.

Patty Jensen is aware of the glacial pace of oil spill cleanups. For more than three years, it's been part the couple's life.

"They are there working away 24 hours a day, seven days a week — it's pretty amazing," she said. "The noise from the equipment used to bug us but we've grown used to it."

Only the hardiest remain at Dakota Access Pipeline protest camp

By Reuters Media Today at 7:55 a.m.

CANNON BALL, N.D. - Two weeks after a victory in their fight against the Dakota Access Pipeline, most protesters have cleared out of the main protest camp in North Dakota - but about 1,000 are still there, and plan to remain through the winter.

These folks say they are dug in at the Oceti Sakowin Camp in Cannon Ball, North Dakota, despite the cold, for a few reasons. Most are Native Americans, and want to support the tribal sovereignty effort forcefully argued by the Standing Rock Sioux, whose land is adjacent to the pipeline being built.

Others say they worry that Energy Transfer Partners LP, the company building the $3.8 billion project, will resume construction without people on the ground, even though the tribes and the company are currently locked in a court battle.

Future decisions on the 1,172-mile (1,885-km) pipeline are likely to come through discussions with the incoming administration of Donald Trump, or in courtrooms.

“I’ve seen some of my friends leave but I will be here until the end and will stand up to Trump if he decides to approve the permit,” said Victor Herrald, of the Cheyenne River Sioux Tribe in South Dakota, who has been at the camp since August.

At one point the camp had about 10,000 people, including about 4,000 veterans who showed up in early December - just before the U.S. Army Corps of Engineers denied a key easement needed to allow the Dakota Access Pipeline to run under Lake Oahe, a reservoir formed by a dam on the Missouri River.

After the Corps decision, Standing Rock chairman Dave Archambault asked protesters to go home. The camp's population now runs from 700 to 1,000, depending on the day, and many come from the nearby Standing Rock reservation where they live.

Those left say they are there to "show our strengths," as Bucky Harjo, 63, of the Paiute tribe, from Reno, Nevada, put it, while the tribe deals with the legal battle.

Logistics are key for those still at the camp, located on federal land. Theron Begay, a Navajo journeyman who is a certified construction worker and heavy machine operator, has been put in charge of winterizing the camp. He is training volunteers to build structures that can withstand sub-zero temperatures and bitter winds, as well as compost toilets.

Some people at the camp have gotten pneumonia, and they and others went to an emergency shelter that was built three miles away to escape the cold.

Because the Oceti Sakowin camp is located on a flood plain, waste from the camp poses risks to the nearby Cannonball River. Tribal leaders have said the camp may need to move if it wants to remain active. Begay said the structures can be "disassembled like a puzzle in two hours” and re-established on drier ground.

North Dakota's Governor Jack Dalrymple said in a Tuesday statement that he and Archambault recently met to discuss reducing tensions between the tribe and law enforcement. They are discussing reopening the nearby Backwater Bridge on state highway 1806, which has been blockaded since Oct. 27, when activists set vehicles on fire.

Harjo said he will leave "when I see the drill pad removed and DAPL out of here, and when they reopen 1806 and when we are free to go at our own will and not be targeted on the highway."

Tom Goldtooth, executive director of the Indigenous Environmental Network, and a constant presence in the camp, said the protest is transitioning "to the next level of our campaign" to stop the pipeline.

Some still at the camp worry that if they leave, Energy Transfer Partners will restart construction. ETP asked a federal judge on Dec. 9 to overrule the government's decision and grant the easement. The judge declined that request; the parties are due back in court in February. Trump, who owned ETP stock through at least mid-2016, according to financial disclosure forms, could order the Army Corps to grant the permit. His choice for U.S. Energy Secretary, former Texas Governor Rick Perry, is on ETP's board. Standing Rock Sioux representatives met with members of Trump's transition team this week to urge the incoming president to deny the easement.

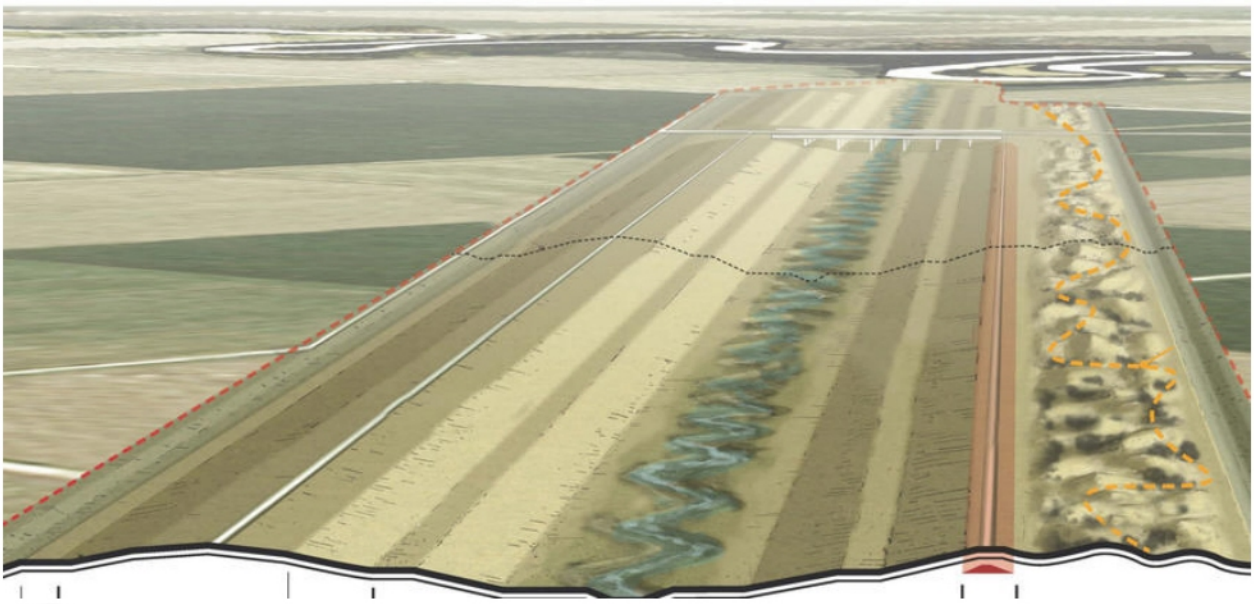
Protesters who remain at the camp are still receiving donations of money and supplies from people across the United States. On a recent visit to the camp's emergency shelter it was filled with boxes delivered via Amazon.com.

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(Reporting By Valerie Volcovici in Cannon Ball, N.D., additional reporting by Andrew Cullen and Ernest Scheyder; Writing by David Gaffen; Editing by Andrew Hay)

Diversion P3 hopefuls will get back portion of $10 million bid cost, if they promise not to sue

By Tu-Uyen Tran on Dec 18, 2016 at 5:31 p.m.



An artist's rendering depicts a cross section of the proposed Fargo-Moorhead flood diversion channel. / Photo credit: Special to The Forum.1 / 2

FARGO — The contract to build the 30-mile flood-diversion channel around Fargo-Moorhead will be unlike contracts for any other public works project in the area, according to bid procedures recently adopted by the Diversion Authority.

For one thing, the authority will offer to compensate each bidder a maximum of $1 million to recover some of the cost of preparing a bid—but only if they agree not to sue should they not get the massive contract. Authority staff said this is standard industry practice because of the enormous stakes involved, which could result in massive lawsuits from unsuccessful bidders.
The Diversion Authority has estimated it would cost around $763 million to build the channel, which would go to a single consortium of firms. Consultants at CH2M Hill estimate each firm will spend about $10 million just to prepare the bid.
The total cost of the project, which includes dikes in Fargo, a dam to control the flow of Red River flood water into the channel and land acquisition, is estimated at $2.2 billion.
The bid procedures are part of a request for proposal the Diversion Authority board agreed on Thursday, Dec. 15, to issue to four consortiums that had won an earlier competition for the right to bid.
Board Chairman Darrell Vanyo called the RFP a "huge milestone." The next step is to receive bids and award a contract.
The four consortiums eligible to bid are Lake Agassiz Partners, Red River Valley Partners, Red River Valley Alliance and Red River Partners, all made up of national and international firms. Subcontractors include many local firms.
Different kind of contract
If the diversion project were like most other public works projects in the region, it would be either smaller in scale or broken up into many phases, each of which would go to a different contractor. The $409 million dike and diversion system protecting Grand Forks-East Grand Forks was built by multiple contractors in part because the amount of work was limited by how much funding Congress provided each year.
Such stop-and-start construction increases costs, according to Diversion Authority officials.
In an effort to reduce costs and speed up construction, the authority and federal government agreed to use a P3 funding model, short for public-private partnership, on the channel and related structures. The U.S. Army Corps of Engineers will be responsible for the dam using the traditional funding model.
With P3, the authority would agree upfront to pay specified amounts each year to a single private partner that would be in a better position to control costs and speed than multiple contractors.
Unlike in most public works projects where the government already has a design it wants contractors to build, the P3 contractor would receive from the Diversion Authority technical requirements such as the volume of water the channel must accommodate and a certain level of safety, according to authority attorney John Shockley. Contractors will produce a design to meet those requirements and are encouraged to find innovative ways to do so at lower costs.
Big stakes
Because the contract could be worth more than $700 million and the cost of bidding $10 million, unsuccessful bidders would have a real incentive to sue, according to authority staff. That's why it's standard industry practice to agree to reimburse some costs in return for a waiver of protest, which prevents bidders from suing.
Bidders are eligible for a maximum reimbursement of $1 million or half the cost of designing the diversion channel, whichever is less. If the authority canceled the P3 process, bidders are eligible for a maximum reimbursement of $500,000 or the actual cost spent on the bid, whichever is less.
"The costs of a legal suit are unknown and could easily exceed the cost of the waiver," staff said in briefings provided to the authority.

If any of the four consortiums declined the waiver, they would still be allowed to bid but would not be eligible for reimbursements.
By paying for the design, the Diversion Authority would also have the right to use whatever innovation the bidder came up with. Staff said that means if an unsuccessful bidder found a way to build an aqueduct for less, the authority can ask the successful bidder to incorporate that into its design.
Authority board members didn't discuss the waiver but the finance committee did at its Nov. 29 meeting, according to meeting minutes.
Fargo City Commissioner Tony Grindberg, who is on both the finance committee and the authority board, said he was skeptical of the reimbursements at first but decided it did make sense as a design fee.
City Commissioner Tony Gehrig, who is on the finance committee only, said he was only willing to pay for the design if the authority used it. He said this is the first federal flood-control project to use P3, and its visibility as a pilot project should be enough to attract bidders.
City Finance Director Kent Costin said credit rating agencies he spoke with all strongly advised the authority follow standard industry practice.
The committee voted 10-1 to recommend the authority board adopt the waivers. Two members were absent. The authority board voted unanimously Thursday.

SOUTH DAKOTA:

UTAH:

WYOMING:

Energy development viewed differently among Native American tribes

- Heather Richards 307-266-0592 Heather.Richards@trib.com
- Updated 12 hrs ago

The Wind River runs along the boundaries of Riverton and the Wind River Reservation. Some tribal members are hopeful that a Donald Trump presidency could mean more autonomy over energy development on their lands.

Some Native Americans hope that a Donald Trump presidency will give tribes more control over energy development on reservations.

The push has come out of talks with the president-elect's Native American Coalition, a group of 27 members at its start, representing 15 states. While no members of Wyoming's Eastern Shoshone and Northern Arapaho tribes were on the original coalition, energy development has historically frustrated some tribal members in the state.

A move to less federal oversight is often seen as a nod to Native American tribal government rights, but tribal members also want to strike a balance between traditional values of protecting the environment and the boon of fossil fuel development for local economies.

In April, a bill penned by Wyoming's U.S. Sen. John Barrasso that sought to amend previous energy regulations on tribal lands passed in the Senate as part of a larger energy platform.

Though the bill doesn't go as far as the suggestion from Trump's coalition that energy development should be privatized in Indian Country, proponents say it reduces the bureaucratic hurdles to drill and mine on reservations, like streamlining the multi-step approval process for development.

It was first introduced in 2011 after consultation with Wyoming tribal leaders at the time, said Mike Danylak, spokesman for the congressman on the Indian Affairs Committee. The bill would have to pass the House before it becomes law.

Moves likes Barrasso's highlight the important role industry might play in economic development on the Wind River Reservation. Some hope that less oversight will mend a history of frustration and bad deals, said Jason Baldes, director of the Wind River Native Advocacy Center.

"A lot of those (energy) contracts that were developed early on were negotiated at an advanced stage," he said. "We as tribes didn't have the legal expertise or the right legal department to really reap the benefits of oil and gas on the reservation."

The result was lost revenue, and the desire to change course goes back decades.

In a hearing before the House Committee on Natural Resources in 2012, Wes Martel, then council vice chairman for the Shoshone Business Council, told congressmen that he had been appointed by the Secretary of the Interior in the early '80s on an advisory committee for mineral accountability. Their task was meant to set down new rules and regulations.

"Thirty years later, we are still waiting for these regulations to be fully implemented," he told the House committee.

Though details differ from reservation to reservation, the heart of the issue is sovereignty, Baldes said.

"Oftentimes the federal government, as well as other agencies, don't operate with tribes on a government to government relationship," he said. "That sovereignty, that self-determination, must be something that is acknowledged."

What shouldn't continue is the reliance on the Bureau of Indian Affairs, which like other federal land agencies such as the Bureau of Land Management, governs much of the permitting process for native development, he said.

Tribes are distrustful of federal involvement in local decisions based on a history of tension between agencies and the tribes, Baldes said.

It's a sentiment shared by Barrasso, who couldn't be reached for comment but provided a statement on his energy bill.

"For years, Indian tribes have expressed concerns about the numerous job-crushing federal laws and duplicative regulations governing the management of Indian energy resources," he said. "Instead of creating more barriers to energy development in Indian Country, Washington needs to focus on removing them."

However, despite the benefits of controlling development on reservations, there is another side to the energy debate that many tribal members are considering, Baldes said.

"Different tribes have different feelings about oil and gas and natural resource extraction," he said. "Personally, and based on the people I work with, we recognize the need to move away from our dependence on fossil fuels, and we need to begin to look at more renewable resources."

Particularly, on a small scale, solar and wind energy can be achieved on a reservation, he said.

But the economic benefit to fossil fuels is undeniable, and some tribes may choose to go in that direction, he said.

Revenue is a key issue in the discussion over tribal energy.

Some proponents of reduced federal oversight have criticized the taxing of companies that operate on tribal lands, that pay both federal and tribal government taxes in addition to state taxes.

That can inhibit development while drawing money away from the tribes toward state and federal government.

A series of studies paid for by the Eastern Shoshone and Arapaho business councils in the early 2000s indicated that the tribes pay significantly more each year to the state of Wyoming than they reap in services. That held true every year from 1979 to 2002, according to the study prepared by Charles River Associates in 2003.

What some tribes see as a recourse to the tax and sovereignty dilemma is ownership of the companies drilling on their reservations, said Baldes.

“In the past the tribes have looked at developing our own oil and gas companies,” Baldes said. “So that we can dictate where these funds come from and how they are allocated.”

Ultimately, each tribal government should be able to determine how and when they develop energy resources, he said.

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Blizzard Conditions Shut Down Montana Interstate Highway

Associated Press, December 18, 2016

BILLINGS, Mont. (AP) – Blizzard conditions are being reported in Livingston, with visibility reported at less than a quarter of a mile.

The National Weather Service says Interstate 90 has been closed from Park City to Springdale because of dangerous driving conditions.

Authorities urged people to stay home, and warned those who venture out could not only endanger themselves, but others who might have to rescue them.

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NORTH DAKOTA:

Massive 2013 oil spill in North Dakota still not cleaned up

- Associated Press
- 18 hrs ago

BISMARCK, N.D. — Three years and three months later, a massive oil spill in North Dakota still isn't fully cleaned up. The company responsible hasn't even set a date for completion.

Though crews have been working around the clock to deal with the Tesoro Corp. pipeline break, which happened in a wheat field in September 2013, less than a third of the 840,000 gallons that spilled has been recovered — or ever will be, North Dakota Health Department environmental scientist Bill Suess said.

A farmer, Steve Jenkins, who'd smelled the crude oil for days, discovered the spill in his northwestern North Dakota field near Tioga — his combines' tires were covered in it.

While the nearest home was a half-mile away and the state said no water sources were contaminated and no wildlife hurt, one of the largest onshore oil spills recorded in the U.S. serves for some as a cautionary example, especially given a recent pipeline break about 150 miles south and ongoing debates over the four-state Dakota Access pipeline.

"What happened to us happened and we can't go back," said Patty Jensen, Steve's wife. This month's pipeline break in Belfield, which belched an estimated 176,000 gallons of oil into a creek that feeds into the Little Missouri River, a tributary of the Missouri River, really rankled her.

"But I get really upset when I hear of a new one and I wonder what is being done to prevent these spills," she said.

Both the Tesoro break and the Belfield break occurred on 6-inch steel pipelines — a part of a large network pipelines that crisscross western North Dakota's oil patch. By comparison, the Dakota Access pipeline is made of 30-inch steel and will carry nearly 20 million gallons daily.

The Tesoro spill was not far from where oil was first discovered in North Dakota in 1951.The Texas-based company and federal regulators have said a lightning strike may have caused the 2013 rupture in the pipeline, which runs from Tioga to a rail facility outside of Columbus, near the Canadian border.

North Dakota regulators initially thought just 750 barrels of oil was involved in the spill, but later updated the amount exponentially. They also expanded the affected acreage from about 7 — the size of seven football fields — to about 13 acres, Suess said. The cleanup has cost Tesoro more than $49 million to date and is expected to top $60 million, according to recent filings to the state.

Tesoro spokeswoman Destin Singleton said she could not immediately confirm the numbers, and noted the cleanup completion date remains unknown. The pipeline was monitored remotely, but the company has said the spill wasn't detected.

Crews have had to dig as deep as 50 feet to remove hundreds of thousands of tons of oil-tainted soil, Suess said. The company has now switched to special equipment that cooks hydrocarbons from crude-soaked soil in a process called thermal desorption before putting it back in place.

The Dec. 5 spill on the Belle Fourche pipeline also was discovered by a landowner. Crude oil migrated about almost 6 miles from the spill site along Ash Coulee Creek, and fouled an unknown amount of private and U.S. Forest Service land along the waterway. Seuss said it appears no oil got as far as the Little Missouri River, and no drinking water sources were threatened.

It's not yet clear why monitoring equipment didn't detect the leak, according to Wendy Owen, a spokeswoman for Casper, Wyoming-based True Cos., which operates the pipeline.

The Dakota Access pipeline builder, Texas-based Energy Transfer Partners, has said the project will be safe and that workers remotely monitoring the pipeline will be able to shut it down if a leak is detected.

Owen said didn't know how long it would take to clean the Belle Fourche spill, given that wintry weather was slowing down the progress, or how much it would cost.

Patty Jensen is aware of the glacial pace of oil spill cleanups. For more than three years, it's been part the couple's life.

"They are there working away 24 hours a day, seven days a week — it's pretty amazing," she said. "The noise from the equipment used to bug us but we've grown used to it."

Only the hardiest remain at Dakota Access Pipeline protest camp

By Reuters Media Today at 7:55 a.m.

CANNON BALL, N.D. - Two weeks after a victory in their fight against the Dakota Access Pipeline, most protesters have cleared out of the main protest camp in North Dakota - but about 1,000 are still there, and plan to remain through the winter.

These folks say they are dug in at the Oceti Sakowin Camp in Cannon Ball, North Dakota, despite the cold, for a few reasons. Most are Native Americans, and want to support the tribal sovereignty effort forcefully argued by the Standing Rock Sioux, whose land is adjacent to the pipeline being built.

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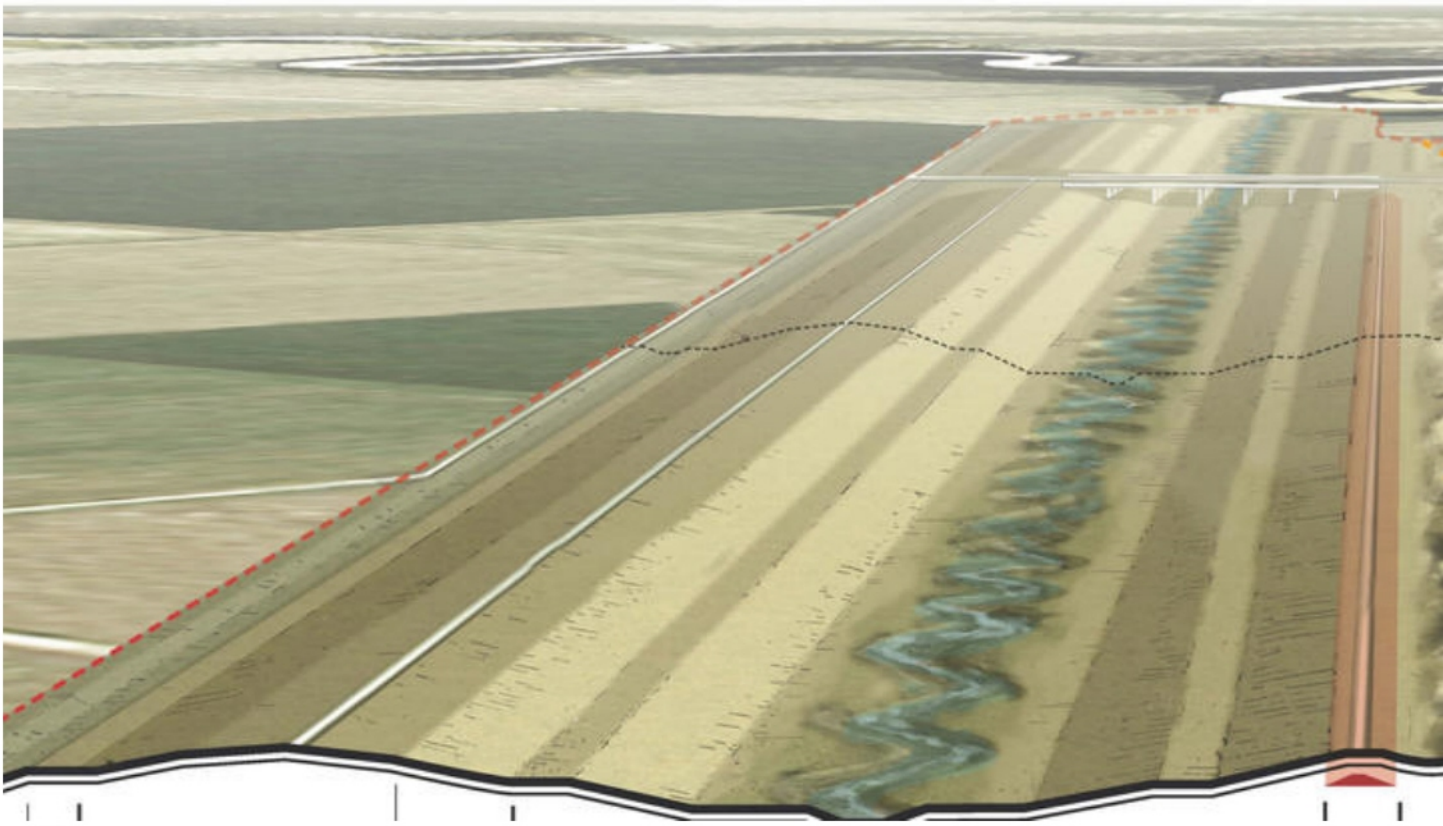
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By Tu-Uyen Tran on Dec 18, 2016 at 5:31 p.m.



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Big stakes

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- Heather Richards 307-266-0592 Heather.Richards@trib.com

- Updated 12 hrs ago

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"For years, Indian tribes have expressed concerns about the numerous job-crushing federal laws and duplicative regulations governing the management of Indian energy resources," he said. "Instead of creating more barriers to energy development in Indian Country, Washington needs to focus on removing them."

However, despite the benefits of controlling development on reservations, there is another side to the energy debate that many tribal members are considering, Baldes said.

"Different tribes have different feelings about oil and gas and natural resource extraction," he said. "Personally, and based on the people I work with, we recognize the need to move away from our dependence on fossil fuels, and we need to begin to look at more renewable resources."

Particularly, on a small scale, solar and wind energy can be achieved on a reservation, he said.

But the economic benefit to fossil fuels is undeniable, and some tribes may choose to go in that direction, he said.

Revenue is a key issue in the discussion over tribal energy.

Some proponents of reduced federal oversight have criticized the taxing of companies that operate on tribal lands, that pay both federal and tribal government taxes in addition to state taxes.

That can inhibit development while drawing money away from the tribes toward state and federal government.

A series of studies paid for by the Eastern Shoshone and Arapaho business councils in the early 2000s indicated that the tribes pay significantly more each year to the state of Wyoming than they reap in services. That held true every year from 1979 to 2002, according to the study prepared by Charles River Associates in 2003.

What some tribes see as a recourse to the tax and sovereignty dilemma is ownership of the companies drilling on their reservations, said Baldes.

"In the past the tribes have looked at developing our own oil and gas companies," Baldes said. "So that we can dictate where these funds come from and how they are allocated."

Ultimately, each tribal government should be able to determine how and when they develop energy resources, he said.

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Sent: 28 Nov 2016 10:54:32 -0500
To: R8 ALL PFTs-CORES
Cc: (b)(6) (b)(6) @state.co.us; (b)(6) @mail.mil (b)(6) @mail.mil; (b)(6) @nd.gov; (b)(6) @state.sd.us (b)(6) @state.sd.us; (b)(6) @utah.gov; (b)(6) @wyo.gov; (b)(6) @acf.hhs.gov; (b)(6) @usace.army.mil (b)(6) @usace.army.mil; (b)(6) @state.mn.us;Peterson, Mark J; (b)(6) @hhs.gov (b)(6) @hhs.gov; (b)(6) @hhs.gov; (b)(6) @sba.gov; (b)(6) @sba.gov;Nelson, Jason; (b)(6) @fs.fed.us;Alexander, Daniel
Subject: Region VIII News Clips, Monday, November 28
Attachments: R8 Clips 11-28-16.docx

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Friday, November 28, 2016

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- Tribune staff
- Nov 26, 2016

In the wake of the U.S. Army Corps of Engineers setting a Dec. 5 deadline to pipeline protesters to leave its northern-most overflow camp, which is estimated to have at least 3,000 people, Gov. Jack Dalrymple said Saturday the federal government must take the lead in any such eviction.

However, Standing Rock Sioux Tribal Chairman Dave Archambault said he does not expect the inhabitants of the protest camp will be forcibly removed.

"The corps wants to reduce their liability," he said. "If they want public safety, the best thing for the federal government to do is to deny the easement."

Corps officials announced late Friday they will close to public use and access corps-managed federal property north of the Cannonball River. The corps' Omaha District Commander, Col. John Henderson, notified

Archambault on Friday that anyone found to be on corps property north of the Cannonball River after Dec. 5 will be considered trespassing and may be subject to prosecution.

Dallas Goldtooth, an organizer with the Indigenous Environmental Network, urged opponents of the Dakota Access Pipeline to stand strong in defending territorial treaty rights.

"This is a disgusting continuation of 500 years of colonialization," he said. "That is the state of affairs that we are in."

Sen. John Hoeven, R-N.D., was among the members of the state's congressional delegation in support of the action.

“In light of violent protest activity, the corps has taken a necessary step to protect public safety. Now, the protesters should respect the law and peacefully leave the protest area. The well-being and property of ranchers, farmers and everyone else living in the region should not be threatened by protesters who are willing to commit acts of violence," Hoeven said in a statement released Saturday.

While Dalrymple said he supports the corps’ decision to close the property, he stressed the federal government must take the lead in enforcing the closure. The governor said the property should be closed due to ongoing public safety concerns involving unlawful protests and because of the serious health risk to those camping in subzero weather. A major weather storm is expected to hit the area Sunday night and into Monday, according to the National Weather Service in Bismarck.

“Our state and local law enforcement agencies continue to do all they can to keep private property and public infrastructure free from unpermitted protest activities, and it's past time that the federal government provides the law enforcement resources needed to support public safety and to enforce their own order to vacate,” Dalrymple said. “For more than 100 days now, the federal government has allowed protesters to illegally entrench themselves on corps land and it is the federal government’s responsibility to lead the camp’s peaceful closure.”

North Dakota has spent more than $10 million to provide enhanced law enforcement security since pipeline protests began in August.

Dalrymple also continues to press the Obama administration to make a decision on the Dakota Access Pipeline’s easement for a river crossing. The governor said the additional delay does nothing but prolong and intensify the public safety issues imposed on Morton County and the state.

Sen. Heidi Heitkamp, D-N.D., also stressed that the Obama administration must bring the situation to a close.

"That also means the administration must make a decision on the easement under Lake Oahe. For too long, we have waited in limbo as the decision is put off. This issue needs to be put to rest once and for all for the sake of the safety of our communities," she said in a statement released Saturday.

A Dakota Pipeline’s Last Stand

By Steven Mufson

Washington Post, November 25, 2016

In the Dakota language, the word “oahe” signifies “a place to stand on.”

And that’s what the Standing Rock Sioux and its allies in the environmental and activist movements say they are doing: using Lake Oahe in North Dakota as a place to take a stand by setting up camps and blocking roads in order to block the controversial $3.7 billion Dakota Access pipeline.

Their confrontations with police — who have responded with water cannons, pepper spray and rubber bullets — have steered attention to the 1,170-mile long oil pipeline project and its owner, Energy Transfer Partners. But the real source of Native Americans’ grievance stretches back more

than a century, to the original government incursions on their tribal lands. And those earlier disputes over their rights to the land, like the one over the Dakota Access pipeline, pitted the tribes against a persistent force, the Army Corps of Engineers.

The federal government has been taking land from Lakota and Dakota people for 150 years, tribal leaders say, from the seizure of land in the Black Hills of South Dakota after the discovery of gold in the 1870s to the construction of dams in the Missouri River that flooded villages, timber land and farmland in the Dakotas in the 1950s.

Through the ages, the warring tribes of the Northern Plains lived, hunted and fought across a sprawling expanse of land. Many were migratory, moving with the seasons. Each treaty with the U.S. government, most notably the 1851 and 1868 treaties of Fort Laramie, restricted their movement further though left them large areas west of the Missouri River and recognized them as sovereign nations.

Much of this was contested, leading to Gen. George A. Custer's ill-fated military campaign to protect miners. Later land was taken to make way for homesteading.

In 1889, Congress passed legislation that created the modern reservation system, pushing the Sioux, also known as Lakota, into smaller areas. And later in the 1900s a series of dams across the Missouri River rolled back the scope of those reservations too.

"This government honors international treaties like they are the Holy Grail, but within our own homeland they find ways to break them," said Standing Rock Sioux chairman David Archambault, who under the treaties and American law is the head of a domestic sovereign nation.

Lake Oahe illustrates his point. The lake, the site of the current dispute, exists because of a dam project built by the Army Corps of Engineers, the same agency that has been weighing whether and where the Dakota Access pipeline could be built.

Empowered by the flood control act of 1944, the Army Corps erected the Oahe Dam in central South Dakota, forming a reservoir that extends about 250 miles upstream to within a short distance of Bismarck, N.D. In 1962, President John F. Kennedy dedicated the dam, hailing it as a symbol of a free society tapping its natural resources.

But for the Lakota tribes, the dam didn't exploit natural resources. It buried them.

The project inundated and destroyed the Standing Rock Sioux tribe's "most fertile bottom lands," home to medicinal plants, wildlife and timber, said Everett J. Iron Eyes, Sr., former water and natural resource director for the Standing Rock Sioux tribe and now a water consultant. In the process, he said, the Army Corps acquired 56,000 acres of land and destroyed 90 percent of the tribe's timber land.

The Army Corps simply condemned the land and paid little to no compensation. The Standing Rock Sioux sued and won compensation — $90.5 million in a trust fund from which it can draw only from the interest on the account to spend on social welfare and economic development.

Iron Eyes said that the government also changed the tribe's water boundaries. Originally, according to the act of Congress in 1889, the tribe's territorial boundary stopped at the low water level mark on the east bank, giving it ownership of the water and river bed. After building the dam, the Army Corps seized strips of land on either side of the river. Those strips are the areas in dispute now, giving the Army Corps a central role in letting Energy Transfer Partners complete the line, or not.

"When they dammed the Missouri River they did it specifically and purposely so that it would flood the Standing Rock reservation," said Harry Sachse, a partner at the Washingtonfirm of Sonosky, Chambers, Sachse, Endreson & Perry and who has represented other Native American tribes. "So the Standing Rock tribe still feels very abused. The government drowned all of the towns the tribe built along the river."

Under the Fort Laramie treaties, the Standing Rock Sioux's northern border was recognized as the Heart River, which winds up to Bismarck, about 25 miles north of the Cannonball River that was

declared the northern border by an act of Congress in 1889. The pipeline battles of the past three months have taken place near the Cannonball.

"They violated every treaty ever made with the tribe," Iron Eyes said.

"It's important not to lose sight of the greater sovereignty issue," said Jennifer Baker, a senior associate at the law firm Fredericks Peebles & Morgan who has represented tribes. "That's what the DAPL fight and all the fights against these ticking environmental bombs really boil down to. To overlook that would be to not do justice to such an important cause."

The Standing Rock Sioux are not alone in harboring old grievances, many involving the Army Corps and its dams, Sachse says.

The Kinzua dam on the Alleghany River built in the 1960s forced more than 600 Seneca families to leave their homes and submerged 10,000 acres of ancestral land. Indians say the project, built by the Army Corps, broke a 1794 treaty signed by President George Washington.

The Colville tribe sued the government over the Grand Cooley Dam, which blocked salmon fishing sites the tribe had used for centuries. The tribe was eventually awarded $52 million and a percentage of the dam's electricity that turned out to be worth about $25 million a year, said Sachse, who represented the Colville tribe.

In Minnesota earlier this year, the Prairie Island Indian Community bought 112 acres of agricultural land near St. Paul to secure a future home. On its reservation, about 30 miles southeast of the Twin Cities, the tribe has wrestled with flooding from the Mississippi and Vermillion Rivers. The reservation has approximately 3,100 acres of land held in trust by the U.S. government. Located in the 100-year floodplain, the land is unusable for development.

In addition, an increase in rail traffic, including trains carrying crude oil, often blocks the only access point to Prairie Island, according to the tribe's Web site.

Native American disputes are not just history; they are still alive.

In 1980, the Supreme Court affirmed a Court of Claims ruling and awarded $106 million to the Sioux tribes for the illegal seizure of the Black Hills. "A more ripe and rank case of dishonorable dealings will never, in all probability, be found in our history," the court said. But the Sioux rejected the money and continue to seek the return of the land.

Will the Dakota Access pipeline take a place in a bitter history? The pipeline would carry as much as 570,000 barrels a day of shale oil from North Dakota's Bakken field to the pipeline networks in Patoka, Ill. Along the way it crosses more than 200 waterways, including the Missouri upstream from the Standing Rock Sioux's facilities for siphoning off drinking water.

The company did not advance its cause when its chief executive Kelcy Warren said in an interview on PBS that he wished the tribe had consulted with Energy Transfer Partners earlier. Nor did the North Dakota Public Service Commission chair Julie Fedorchak, who told National Public Radio that the Standing Rock Sioux failed to take part in the 11-month permit process or in 30 hours of open hearings, and that their efforts to reach chairman Archambault were futile.

Archambault said in an interview with The Post that the tribal council had in fact met with Energy Transfer executives at the tribal headquarters in September 2014 and that the tribal leaders had clearly stated their opposition to the pipeline.

The tribe had passed a resolution in 2012 opposing new pipelines and declared a moratorium on hydraulic fracturing, or fracking within its borders "because we see the destruction done to mother earth," Archambault added. Shale oil produced by fracking in western North Dakota is the main source of crude for the Dakota Access pipeline project.

Last week the tribe posted on its Facebook page a recording of the 2014 meeting, in which Archambault warned the pipeline company representatives that the tribe still recognizes the Fort Laramie borders, and therefore the pipeline that the company considered 1,500 feet north of the reservation was, in fact, part of the tribe's territory.

"So just that you know this is something that the tribe is not supporting," he said on the recording.

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But the Native American opposition to the pipeline project runs much deeper than that.

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Fall Fieldwork In South Dakota Not Impacted By First Storm

Associated Press, November 25, 2016

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The report says about half of the state's winter wheat crop is in good to excellent condition. Only 9 percent is rated poor or very poor.

Pasture and range conditions statewide are rated 35 percent good to excellent. Stock water supplies are 68 percent adequate to surplus.

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UTAH:

Utah Under Winter Storm Warming Through Tuesday

Associated Press, November 27, 2016

SALT LAKE CITY (AP) – The National Weather Service says a winter storm warning will be in effect until Tuesday morning.

The warning applies to the Wasatch Mountains, the Western Uinta Mountains, Book Cliffs and Wasatch Plateau, along with the central and southern mountains of Utah.

The NWS expects 18 to 30 inches of snow or more along the northern part of the state.

The service also expects a stronger storm to arrive Monday through Monday night.

Drivers should expect poor conditions, especially on Monday into early Tuesday morning.

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Small 3.2 Magnitude Earthquake Felt Around Salt Lake Valley

Associated Press, November 25, 2016

SALT LAKE CITY (AP) – A small earthquake south of Salt Lake City on Friday morning was felt by some 200 people in the area.

The University of Utah Seismograph Stations said in a news release Friday that the magnitude 3.2 quake occurred at 8:45 southwest of Bluffdale in the southern end of the Salt Lake City metro area.

Seismologist Relu Burlacu says reports have come in from around the area including in Sandy, South Jordan and Salt Lake City.

The largest earthquake recorded in the area came in 1992 when a magnitude 4.1 hit.

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Small 3.2 Magnitude Earthquake Felt Around Salt Lake Valley

Associated Press, November 25, 2016

SALT LAKE CITY (AP) – A small earthquake south of Salt Lake City on Friday morning was felt by some 200 people in the area.

The University of Utah Seismograph Stations said in a news release Friday that the magnitude 3.2 quake occurred at 8:45 southwest of Bluffdale in the southern end of the Salt Lake City metro area.

Seismologist Relu Burlacu says reports have come in from around the area including in Sandy, South Jordan and Salt Lake City.

The largest earthquake recorded in the area came in 1992 when a magnitude 4.1 hit.

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WYOMING:

FEMA-RELATED STORIES:

From: DeFelice, Jerome
Sent: 31 Jan 2017 11:01:29 -0500
To: R8 ALL PFTs-CORES
Cc: (b)(6)
(b)(6) @state.co.us; (b)(6) @mail.mil; (b)(6) @mail.mil (b)(6)
@nd.gov (b)(6) @state.sd.us (b)(6) @state.sd.us (b)(6) @utah.gov (b)(6) @wyo.go
v; (b)(6) @acf.hhs.gov (b)(6) @usace.army.mil; (b)(6) @usace.army.mil; (b)
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v; (b)(6) @sba.gov;Nelson, Jason (b)(6) @fs.fed.us;Alexander, Daniel
Subject: Region VIII News Clips, Tuesday, January 31
Attachments: R8 Clips 01-31-17.docx

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Tuesday, Jan 31, 2017

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Category: Local News
Published: Monday, 30 January 2017 09:04
Written by Dean Penner



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By WDAY on Jan 30, 2017 at 9:29 p.m.

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Local News
Jan 29, 2017
Jill Schramm
Staff Writer
jschramm@minotdailynews.com

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The first four phases include work on levees and flood walls on the western portion of the project in Minot. The work is estimated to protect about 60 percent of the at-risk population in the city.
Legislators at the forum also addressed other budget issues, including property-tax relief and new revenue sources.

Sen. Randy Burckhard spoke about Senate Bill 2206, which would have the state take over the cost of county social services. The cost is estimated at $275 million. Currently, counties can levy up to 20 mills for social services.

“It However, he added, the $825 million fiscal note is far over-stated, having been determined by the Legislative Council based on an interpretation of the bill that wasn’t quite what he had intended. Louser said he will be proposing the bill be turned into an interim study.

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By Jacob Passy
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Subject: Region VIII News Clips, Wednesday, Feb 8
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Wednesday, Feb 8, 2017

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STORIES

COLORADO:

Hydrology study recommends higher peak discharges

By David Persons
Trail-Gazette

POSTED: 02/08/2017 06:51:45 AM MST

The recently-released hydrology study of four key watersheds in the Estes Valley is technical in nature and lengthy (333 pages).

However, there are a couple takeaways from this study that can be easily understood.

First, the study of the four watersheds — Fall River, Upper Big Thompson River, Black Canyon Creek, and Dry Gulch — will not replace current peak discharges that are used to update hydrology and floodplain mapping until it goes through a review process and ultimately approved by the Federal Emergency Management Agency (FEMA).

Second, the study reveals that it is recommending that peak discharges for 100-year flood events be greatly increased. The FEMA principal regulatory floodplain boundary is

determined by the 100-year flood event. Therefore, that will have a definite impact, if accepted, on local floodplain mapping.

These points and many others will be discussed at an education meeting 6 p.m. Feb. 27 at the Estes Park Event Center. The hydrology study can be found online at https://www.colorado.gov/townofestespark/floodmitigation. Just click on Read the Hydrology Study Report.

The hydrology study was done for the town by Wright Water Engineers, Inc. (WWE) and includes peer review comments with consultant responses at the end.

In the executive summary portion of the study, it's clear that the reason for this study is to update floodplain hydrology and mapping that was developed in the mid-1970s. It is pointed out that the 2013 flood was the catalyst for this action since the four watershed drainageways all experienced significant flooding.

It explains that WWE used widely-accepted engineering methods and applied them to over 30 years of additional stream gauge data and more advanced engineering resources to update the "effective floodplain hydrology" for 2-, 5-, 10-, 25-, 50-, 100-, and 500-year flood events.

The additional stream gauge data includes information from the 1976 Big Thompson flood, the 1982 Lawn Lake flood, and a significant event in 1965 when Fall River overflowed.

"Effective hydrology" refers to the regulatory peak discharges used by FEMA for flood insurance purposes.

Previous hydrologic and hydraulic analyses — Gingery Associates in 1977 and Limons, Li & Associates, Inc. in 1985 — were also studied and analyzed in this report.

According to Estes Park Floodplain Manager Tina Kurtz, the study uses all existing information, including the 2013 discharge data.

"The study includes data from a number of parameters, such as rainfall, soil types and infiltration rates, in addition to discharge data," Kurtz said. "Also, we now have more advanced methodologies and technology to determine peak discharges than were available in the 1970s."

One of the most interesting tables in the study is Table 13. It shows the current flood insurance study (FIS) peak discharges and recommended new peak discharges.

When studying the 100-year peak discharges in this table, it is obvious that every location (with the exception of Dry Gulch) has a greatly increased discharge flow. Some are doubled

and some are nearly tripled. Especially notable is that Fall River at the confluence with the Big Thompson River in downtown currently has a discharge flow of 680 cubic feet per second (cfs) in a 100-year flood. The new recommended discharge flow is 1,860 cfs, 2.7 times the current accepted discharge flow.

Kurtz said that this study will provide important information for the Estes Valley remapping effort but is just another part of a larger effort to remap the flood-affected areas along the Front Range that sustained significant damage by the 2013 flood.

She said the Colorado Water Conservation Board (CWCB) is the lead agency coordinating the Colorado Hazard Mapping Program. This effort is being funded by the Colorado Legislature.

All studies, including the Estes Valley study, are part of an effort to meet FEMA's guides and standards for regulatory map updates.

Kurtz said the state will eventually submit updated floodplain maps and the hydrology study to FEMA to begin the official regulatory map update process.

She added that there will be an extensive public review and comment process during the period between submission of the report and maps to FEMA and the FEMA adoption of the maps.

The next step in the process will be to present the Estes Valley hydrology study to the Colorado Water Conservation Board for state adoption at its March meeting in Greeley. This is a separate process from FEMA acceptance of the report and maps.

The state will then complete new floodplain maps in late spring/early summer after which will be public meetings held by the state to review the maps.

Kurtz added that the Town Board will have to make a decision as to whether or not the town will use the new hydrology and floodplain boundaries for its floodplain regulatory purposes prior to the adoption of new floodplain boundary maps by FEMA.

Once the new boundary maps are adopted by FEMA, the town will be required to regulate to the new hydrology and adopted maps. Changes to flood insurance requirements will not be effective until FEMA adopts new maps.

El Paso County OKs Push For Federal Grant For Regional Terror-threat Preparedness

By Matt Steiner
Colorado Springs (CO) Gazette, February 7, 2017

The Board Of County Commissioners begin their meeting with an invocation following the oath of office for the new County Commissioners at Centennial Hall on Tuesday, January 10, 2017. Photo by Stacie Scott, The Gazette

A group of a dozen county, city, nonprofit, military and law enforcement leaders are concerned about the threat of terrorist attacks in the Pikes Peak area. And that conglomerate is looking to be ready if such a threat ever becomes reality.

El Paso County commissioners gave their approval Tuesday morning to a grant application that could bring more than $2 million to the region for learning the most efficient way to prepare for and react to a complex coordinated terrorist attack, or CCTA.

Commissioner Peggy Littleton spearheaded a campaign over the past two months to pursue the Federal Emergency Management Agency money. She says that the Pikes Peak region, which is home to the U.S. Army's Fort Carson, Schriever and Peterson Air Force bases, the U.S. Air Force Academy, and the North American Aerospace Defense Command, needs to stay on top of any potential threat.

Littleton was echoed by several city, military and regional leaders that signed letters of support and others who attended a mid-December meeting where Littleton introduced the grant opportunity.

"This project is tailor-made for Colorado Springs and the rest of the region," said Art Glynn, a defense consultant who was at the December meeting.

The commissioners' unanimous approval gives the county until just before midnight on Friday to submit its application. Then FEMA will announce between 25 and 30 grant winners in April. The federal agency has more than $35.9 million available for qualified applicants.

Brian Olson, with the El Paso County budget division, said at Tuesday's Board of County Commissioners meeting that if the application is approved, the county and its partners will have three years beginning in June to use the $2 million on specific initiatives that will include table-top and full-scale CCTA exercises.

"The goal is to have a full plan to be shared by the entire region," Olson said, noting that local groups will not have to provide any matching money to supplement the FEMA grant.

Among the regional partners involved are the county, the City of Colorado Springs, all of the area's military bases, the YMCA of the Pikes Peak Region, the City of Fountain, Colorado Springs Airport and the Council of Neighbors and Organizations.

El Paso County Director of Public Works Jim Reid said the region has staged emergency exercises multiple times in the past. The police force at the University of Colorado Colorado Springs held an active-shooter exercise in 2007 after more than 30 people were killed on the Virginia Tech University campus. A "mass casualty" drill commenced in Colorado Springs and Hanover in 2010. And in early 2016, about 400 people took part in a "deep freeze" simulation to learn best practices during a catastrophic blizzard.

The need for regional leaders to hone their CCTA skills comes in the wake of a rash of terrorism around the globe, including the Boston Marathon bombing in 2013 and the San Bernardino, Calif., attack in December 2015.

Other county leaders that spoke on Tuesday, including multiple commissioners, said the three years of exercises and planning will allow the region to identify gaps in protection and get the mistakes out of the way while the consequences are low.

"It's our responsibility as leaders to be well prepared for some of those things that we've not yet experienced," Littleton said.

MONTANA:

WINTER STORM CLOSES SCHOOLS, SNARLS ROADS

February 06, 2017 at 8:30 pm | By SAM WILSON Daily Inter Lake

A severe winter storm battered Northwest Montana over the weekend, dropping up to three feet of snow in some areas, closing schools and creating widespread traffic impacts that included the closure of U.S. 2 and the BNSF Railway tracks south of Glacier National Park.

Early Monday morning, the Montana Department of Transportation shut down all traffic on U.S. 2 between West Glacier and East Glacier after wind-blown snow in the mountain corridor covered the only east-west highway connecting the region to the Rocky Mountain Front. By late afternoon, officials had reopened the western portion of the snow-bound road to local traffic as far as Essex. But the department's Kalispell division maintenance chief, Justun Juelfs, said through traffic was unlikely to resume until late Tuesday morning, at the earliest.

"We do have rotary blowers on both ends, working from both sides and trying to get two-way traffic again," Juelfs said. But he added, "We're averaging about a mile an hour."

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- CAROLINE GRUESKIN Bismarck Tribune
- 20 hrs ago

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Reach Caroline Grueskin at 701-250-8225 or at caroline.grueskin@bismarcktribune.com

SOUTH DAKOTA:

UTAH:

Avalanche Closes US Highway 89 In Utah Snowstorm

Associated Press, February 7, 2017

SALT LAKE CITY (AP) – An avalanche closed a stretch of U.S. Highway 89 north of Logan on Tuesday as a wet storm packing heavy snow and strong winds shut down two northern Utah ski resorts and triggered a winter storm warning across much of the state.

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Another 3 to 6 inches of snow was expected in the upper elevations into early Wednesday, with winds gusting in excess 60 mph above 7,500 feet. "The combination of strong winds and heavy snow will likely create periods of near-zero visibility due to blowing snow," the service said.

The extreme conditions forced the closure Tuesday of Sundance Mountain Resort northeast of Provo and the Powder Mountain Resort northeast of Ogden.

The U.S. Forest Services' Utah Avalanche Center in Salt Lake City issued an avalanche warning effective until 6 a.m. Wednesday for backcountry recreationists in northern Utah and southeastern Idaho, including the Wasatch, western Uinta, Bear River and Wellsville ranges.

U.S. Highway 89 would be closed indefinitely through Logan Canyon after an avalanche crossed a section of road known as the Dugway on Tuesday afternoon, state transportation officials said.

There were no immediate reports of any injuries. Travelers were advised to use I-80/84 through Evanston, Wyoming or Idaho Highway 36 via Preston, Idaho.

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STORIES

COLORADO:

Hydrology study recommends higher peak discharges

By David Persons
Trail-Gazette

POSTED: 02/08/2017 06:51:45 AM MST

The recently-released hydrology study of four key watersheds in the Estes Valley is technical in nature and lengthy (333 pages).

However, there are a couple takeaways from this study that can be easily understood.

First, the study of the four watersheds — Fall River, Upper Big Thompson River, Black Canyon Creek, and Dry Gulch — will not replace current peak discharges that are used to update hydrology and floodplain mapping until it goes through a review process and ultimately approved by the Federal Emergency Management Agency (FEMA).

Second, the study reveals that it is recommending that peak discharges for 100-year flood events be greatly increased. The FEMA principal regulatory floodplain boundary is determined by the 100-year flood event. Therefore, that will have a definite impact, if accepted, on local floodplain mapping.

These points and many others will be discussed at an education meeting 6 p.m. Feb. 27 at the Estes Park Event Center. The hydrology study can be found online at https://www.colorado.gov/townofestespark/floodmitigation. Just click on Read the Hydrology Study Report.

The hydrology study was done for the town by Wright Water Engineers, Inc. (WWE) and includes peer review comments with consultant responses at the end.

In the executive summary portion of the study, it's clear that the reason for this study is to update floodplain hydrology and mapping that was developed in the mid-1970s. It is

pointed out that the 2013 flood was the catalyst for this action since the four watershed drainageways all experienced significant flooding.

It explains that WWE used widely-accepted engineering methods and applied them to over 30 years of additional stream gauge data and more advanced engineering resources to update the "effective floodplain hydrology" for 2-, 5-, 10-, 25-, 50-, 100-, and 500-year flood events.

The additional stream gauge data includes information from the 1976 Big Thompson flood, the 1982 Lawn Lake flood, and a significant event in 1965 when Fall River overflowed.

"Effective hydrology" refers to the regulatory peak discharges used by FEMA for flood insurance purposes.

Previous hydrologic and hydraulic analyses — Gingery Associates in 1977 and Limons, Li & Associates, Inc. in 1985 — were also studied and analyzed in this report.

According to Estes Park Floodplain Manager Tina Kurtz, the study uses all existing information, including the 2013 discharge data.

"The study includes data from a number of parameters, such as rainfall, soil types and infiltration rates, in addition to discharge data," Kurtz said. "Also, we now have more advanced methodologies and technology to determine peak discharges than were available in the 1970s."

One of the most interesting tables in the study is Table 13. It shows the current flood insurance study (FIS) peak discharges and recommended new peak discharges.

When studying the 100-year peak discharges in this table, it is obvious that every location (with the exception of Dry Gulch) has a greatly increased discharge flow. Some are doubled and some are nearly tripled. Especially notable is that Fall River at the confluence with the Big Thompson River in downtown currently has a discharge flow of 680 cubic feet per second (cfs) in a 100-year flood. The new recommended discharge flow is 1,860 cfs, 2.7 times the current accepted discharge flow.

Kurtz said that this study will provide important information for the Estes Valley remapping effort but is just another part of a larger effort to remap the flood-affected areas along the Front Range that sustained significant damage by the 2013 flood.

She said the Colorado Water Conservation Board (CWCB) is the lead agency coordinating the Colorado Hazard Mapping Program. This effort is being funded by the Colorado Legislature.

All studies, including the Estes Valley study, are part of an effort to meet FEMA's guides and standards for regulatory map updates.

Kurtz said the state will eventually submit updated floodplain maps and the hydrology study to FEMA to begin the official regulatory map update process.

She added that there will be an extensive public review and comment process during the period between submission of the report and maps to FEMA and the FEMA adoption of the maps.

The next step in the process will be to present the Estes Valley hydrology study to the Colorado Water Conservation Board for state adoption at its March meeting in Greeley. This is a separate process from FEMA acceptance of the report and maps.

The state will then complete new floodplain maps in late spring/early summer after which will be public meetings held by the state to review the maps.

Kurtz added that the Town Board will have to make a decision as to whether or not the town will use the new hydrology and floodplain boundaries for its floodplain regulatory purposes prior to the adoption of new floodplain boundary maps by FEMA.

Once the new boundary maps are adopted by FEMA, the town will be required to regulate to the new hydrology and adopted maps. Changes to flood insurance requirements will not be effective until FEMA adopts new maps.

El Paso County OKs Push For Federal Grant For Regional Terror-threat Preparedness

By Matt Steiner

Colorado Springs (CO) Gazette, February 7, 2017

The Board Of County Commissioners begin their meeting with an invocation following the oath of office for the new County Commissioners at Centennial Hall on Tuesday, January 10, 2017. Photo by Stacie Scott, The Gazette

A group of a dozen county, city, nonprofit, military and law enforcement leaders are concerned about the threat of terrorist attacks in the Pikes Peak area. And that conglomerate is looking to be ready if such a threat ever becomes reality.

El Paso County commissioners gave their approval Tuesday morning to a grant application that could bring more than $2 million to the region for learning the most efficient way to prepare for and react to a complex coordinated terrorist attack, or CCTA.

Commissioner Peggy Littleton spearheaded a campaign over the past two months to pursue the Federal Emergency Management Agency money. She says that the Pikes Peak region, which is home to the U.S. Army's Fort Carson, Schriever and Peterson Air Force bases, the U.S. Air Force Academy, and the North American Aerospace Defense Command, needs to stay on top of any potential threat.

Littleton was echoed by several city, military and regional leaders that signed letters of support and others who attended a mid-December meeting where Littleton introduced the grant opportunity.

"This project is tailor-made for Colorado Springs and the rest of the region," said Art Glynn, a defense consultant who was at the December meeting.

The commissioners' unanimous approval gives the county until just before midnight on Friday to submit its application. Then FEMA will announce between 25 and 30 grant winners in April. The federal agency has more than $35.9 million available for qualified applicants.

Brian Olson, with the El Paso County budget division, said at Tuesday's Board of County Commissioners meeting that if the application is approved, the county and its partners will have three years beginning in June to use the $2 million on specific initiatives that will include table-top and full-scale CCTA exercises.

"The goal is to have a full plan to be shared by the entire region," Olson said, noting that local groups will not have to provide any matching money to supplement the FEMA grant.

Among the regional partners involved are the county, the City of Colorado Springs, all of the area's military bases, the YMCA of the Pikes Peak Region, the City of Fountain, Colorado Springs Airport and the Council of Neighbors and Organizations.

El Paso County Director of Public Works Jim Reid said the region has staged emergency exercises multiple times in the past. The police force at the University of Colorado Colorado Springs held an active-shooter exercise in 2007 after more than 30 people were killed on the Virginia Tech University campus. A "mass casualty" drill commenced in Colorado Springs and Hanover in 2010. And in early 2016, about 400 people took part in a "deep freeze" simulation to learn best practices during a catastrophic blizzard.

The need for regional leaders to hone their CCTA skills comes in the wake of a rash of terrorism around the globe, including the Boston Marathon bombing in 2013 and the San Bernardino, Calif., attack in December 2015.

Other county leaders that spoke on Tuesday, including multiple commissioners, said the three years of exercises and planning will allow the region to identify gaps in protection and get the mistakes out of the way while the consequences are low.

"It's our responsibility as leaders to be well prepared for some of those things that we've not yet experienced," Littleton said.

MONTANA:

WINTER STORM CLOSES SCHOOLS, SNARLS ROADS

February 06, 2017 at 8:30 pm | By SAM WILSON Daily Inter Lake

A severe winter storm battered Northwest Montana over the weekend, dropping up to three feet of snow in some areas, closing schools and creating widespread traffic impacts that included the closure of U.S. 2 and the BNSF Railway tracks south of Glacier National Park.

Early Monday morning, the Montana Department of Transportation shut down all traffic on U.S. 2 between West Glacier and East Glacier after wind-blown snow in the mountain corridor covered the only east-west highway connecting the region to the Rocky Mountain Front.
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WYOMING:

FEMA-RELATED STORIES:

From: DeFelice, Jerome
Sent: 15 Feb 2017 12:14:07 -0500
To: R8 ALL PFTs-CORES
Cc: (b)(6) (b)(6) @state.co.us (b)(6) @mail.mil; (b)(6) @mail.mil; (b)(6) @nd.gov; (b)(6) @state.sd.us; (b)(6) @state.sd.us (b)(6) @utah.gov (b)(6) @wyo.gov; (b)(6) @acf.hhs.gov; (b)(6) @usace.army.mil (b)(6) @usace.army.mil; (b)(6) @state.mn.us;mark.peterson2@dhs.gov (b)(6) @hhs.gov; (b)(6) @hhs.gov; (b)(6) @hhs.gov; (b)(6) @sba.gov; (b)(6) @sba.gov;Nelson, Jason (b)(6) @fs.fed.us;Alexander, Daniel (b)(6) @atf.gov; (b)(6) @aveshka.com
Subject: Region VIII News Desk, Wed, Feb 15
Attachments: R8 clips 02-15-17.docx

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ND heat wave next week could lessen spring flooding in some areas **Fargo Forum**

A guide to recent events in the Dakota Access pipeline battle **Associated Press. Article also ran in the Denver Post and media outlets nationwide.**

State officials warn of river contamination **Bismarck Tribune. Concerns DAPL campsite.**

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By April Baumgarten, Fargo Forum on Feb 14, 2017 at 5:54 p.m.

GRAND FORKS, N.D.—February could get a little toasty, but the warmer temperatures could help melt the rest of the snow and, in turn, lessen spring flooding for some areas of the Red River Valley.
After a brief cold snap moved into the region last week, temperatures have been about 20 degrees above normal, according to the National Weather Service. Highs statewide have

lingered in the high 30s this week and are expected to climb into the low and mid-40s by the weekend, according to the National Weather Service.

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Tom Stromme, The Bismarck Tribune

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By The Associated Press

PUBLISHED: February 14, 2017 at 6:02 pm | UPDATED: February 14, 2017 at 6:31 pm

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State officials warn of river contamination

- LAUREN DONOVAN Bismarck Tribune

Lauren Donovan

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"That area, by nature, is prone to flooding. The Cannonball River and the Cantapeta Creek, along with the Missouri River, all come together in the area of the protest camp, which is sitting down in the floodplain," said state engineer Garland Eberle with the State Water Commission. "We've historically seen ice jamming which

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SOUTH DAKOTA:

UTAH:

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TUESDAY , FEBRUARY 14, 2017 - 6:58 PM

JESSICA KOKESH, Standard-Examiner Staff

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North Wyoming ice jam breaks, flood worries moves downstream

- BOB MOEN Associated Press
- Feb 14, 2017 Updated 12 hrs ago

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Residents in Big Horn County have been warned by local authorities to be prepared to leave their homes if the river tops its banks, Ruiz said.

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Region VIII Clips
Wednesday, Feb 15, 2017

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ND heat wave next week could lessen spring flooding in some areas Fargo Forum

A guide to recent events in the Dakota Access pipeline battle Associated Press. Article also ran in the Denver Post and media outlets nationwide.

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By April Baumgarten, Fargo Forum on Feb 14, 2017 at 5:54 p.m.

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- LAUREN DONOVAN Bismarck Tribune

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FEMA-RELATED STORIES:

From: FEMA-MOC-DENVER
Sent: 7 Feb 2017 15:43:03 -0500
To: R8 FEMA SA Team;Root, Michael;Sterling, Stephen
Subject: USACE to Grant Easement for DAPL, 07 Feb 2017

All,

http://www.kfyrtv.com/content/news/Army-Corps-to-grant-easement-for-DAPL-under-Lake-Oahe-413068983.html

CANNON BALL, N.D. - The U.S. Army Corps of Engineers announced Tuesday they intend to grant an easement to Dakota Access to construct a pipeline under Corps-managed federal land at Lake Oahe.

The agency has also announced that it will not be preparing an Environmental Impact Statement.

Elizabeth Nakai
Operations Watch Officer
Denver MERS Operations Center &
FEMA Alternate Operations Center – West
800-311-7021

From: Greff, Stacie
Sent: 17 Mar 2017 11:46:27 -0400
To: Dragani, Nancy
Cc: R8 Division Directors;Dombrowski, Justin
Subject: Clip: DAPL

In clips, but ensuring visibility.

From: DeFelice, Jerome
Sent: Friday, March 17, 2017 9:00 AM
To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Dombrowski, Justin <Justin.Dombrowski@fema.dhs.gov>; Floyd, Megan <Megan.Floyd@fema.dhs.gov>; Garcia, Carol <carol.garcia@fema.dhs.gov>
Subject: Clip: DAPL

I'll include in the clips but wanted to make sure you saw this…

US taxpayers might be on the hook for pipeline protest costs

- By BLAKE NICHOLSON Associated Press
- Mar 16, 2017 Updated 19 hrs ago
-

BISMARCK, N.D. (AP) — North Dakota officials appear poised to go after the U.S. government — and thus U.S. taxpayers — to recoup more than $38 million in state expenses related to months of protests against the Dakota Access pipeline, though a longstanding offer from the project's developer to pay up is still on the table.

One taxpayer watchdog group questions why the state isn't jumping at the offer from Dallas-based Energy Transfer Partners, a company worth billions of dollars.

"You take the money when you can get it," said Dustin Gawrylow, managing director of the North Dakota Watchdog Network, which keeps tabs on how public money is spent.

The matter might not be that simple. Common Cause, a nonpartisan group that promotes government accountability, says accepting money from a private-sector business in an industry it regulates would present the state with an ethical dilemma.

Pipeline opponents have long accused the state of being too cozy with ETP, and if the state takes the company's money "it certainly would lend credence to those arguments," said Joye Braun, a protest leader.

"For Energy Transfer to offer a donation, basically that's paying off the state for using state resources as personal security," she said.

Gawrylow said ETP's offer, while it would help the state, might be more marketing than generosity.

"They're not spending it out of the goodness of their heart. They're spending it to build goodwill in North Dakota" after months of upheaval, he said.

Work is wrapping up on the $3.8 billion pipeline to move North Dakota oil 1,200 miles to a shipping point in Illinois, and oil could be flowing as early as Monday despite an ongoing legal challenge by Sioux tribes who fear the project could affect their water supply — a claim ETP rejects.

The saga has endured for months, with hundreds and sometimes thousands of pipeline opponents camping on federal land near the drill site and often clashing with police. About 750 arrests were made between early

August and late February, when camps on property managed by the Corps were shut down in advance of spring flooding season.

State officials have not been clear on why they haven't accepted ETP's offer, first made in the fall.

"The governor hasn't said whether the state will or won't seek reimbursement from ETP, only that all options are on the table," Mike Nowatzki, spokesman for Republican Gov. Doug Burgum, said.

State Budget Director Pam Sharp told The Associated Press that nothing in state law would prevent North Dakota from accepting such a donation, and that it's happened before, though not in such a sizable amount. For example, smaller private donations have been made to the state-operated North Dakota Veterans Home, she said.

Both Nowatzki and ETP spokeswoman Vicki Granado said they weren't aware of any discussions between state officials and ETP. But, Nowatzki said, "the governor's office has been in discussions with both the U.S. Army Corps of Engineers and White House officials to emphasize the state's position that federal reimbursement is warranted."

U.S. Sen. John Hoeven, a Republican from North Dakota, said his office also is working to get the Corps to reimburse protest-related state costs.

State Attorney General Wayne Stenehjem has publicly broached the idea of suing the federal government. He didn't respond to requests for comment.

The state Emergency Commission late last year approved borrowing $17 million to cover the costs, and the first bill Burgum signed as governor after taking office in January authorized an additional $8 million. But the cost has surpassed the approved total by $13 million, and officials plan to ask the Legislature for more money, state Emergency Services spokeswoman Cecily Fong said.

"I would be very surprised if the Legislature does not cover the full cost," said Republican state Rep. Jeff Delzer, chairman of the House Appropriations Committee.

Nowatzki said Burgum's chief concern "is ensuring that North Dakota taxpayers alone don't foot the bill."

Accepting money from ETP would be a risky way of doing that, according to Paul S. Ryan, vice president of litigation and public policy for Common Cause.

"One would reasonably question whether the state could in an unbiased way regulate ETP if it is receiving tens of millions of dollars in cold hard cash from ETP," he said.

___

From: Welch, Randy
Sent: 18 Nov 2016 13:11:51 -0500
To: R8 All Hands
Cc: (b)(6) (b)(6)@state.co.us;(b)(6)@mail.mil(b)(6)@mail.mil;(b)(6)@nd.gov;(b)(6)@state.sd.us;(b)(6)@state.sd.us(b)(6)@utah.gov(b)(6)@wyo.gov;(b)(6)@acf.hhs.gov(b)(6)@usace.army.mil;(b)(6)@usace.army.mil;(b)(6)@state.mn.us;Peterson, Mark J;(b)(6)@hhs.gov(b)(6)@hhs.gov(b)(6)@hhs.gov;(b)(6)@sba.gov;(b)(6)@sba.gov;Nelson, Jason;Blaylock, Andrew(b)(6)@fs.fed.us;Alexander, Daniel
Subject: FEMA Region 8 clips for Friday 11-18-16

Region VIII Clips
Friday, November 18, 2016

ANALYSIS

- *Colorado:* Yesterday's storm led to a 20-car pileup that closed I-70 for hours… Lyons residents donated money, materials and labor to build one family a new home to replace one damaged by the 2013 flood. The new home is raised to prevent future flood damage.

- *Montana:* No FEMA-related stories
- *North Dakota:* An annual address by an Indian tribal leader to the state legislature has been cancelled because of concerns stemming from the pipeline protest…. The number of volunteer firefighters is declining. A FEMA grant of $2.1 million will pay for ads targeting and recruiting and retaining volunteers in North Dakota, plus firefighter education, over four years…. Fargo received relatively light snow from the storm.
- *South Dakota:* No travel is advised in much of SE South Dakota because of the storm.
- *Utah:* Santa Clara has extended offers to buy out three homes threatened by a landslide, using a grant from FEMA and the Utah Department of Public Safety. The story says the city has a 30 percent match.
- *Wyoming:* Yesterday's storm closed I-80 and Highway 30 for a while; a foot of snow dropped in Lander and parts of Yellowstone National Park… Wyoming Public Radio carried an interview on the disproportionate affects disasters have on the poor, which are not captured in lists of assets losses – such as children dropping out of school or their development being harmed by lack of food.
- *Other FEMA-related stories:* The ABC News report on yesterday's storm is included below.

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STORIES

COLORADO:

Storm Leads To Plenty Of White-Knuckle Moments For High Country Drivers (CBS4 TV, Denver)

November 18, 2016 8:05 AM

EVERGREEN, Colo. (CBS4) – Driving conditions in Colorado's mountains were treacherous during the latter half of the day on Thursday, and two people wound up getting hurt in a pileup involving 20 of cars.

Teams of snowplows were working late into the night to try to keep the roads clear and ice-free as temperatures dipped into the single digits.

Thursday's heavy snow in Colorado's higher elevations took even the most experienced high country drivers by surprise.

Brenda Carmona flew in to the state on Thursday from Los Angeles and was somehow making it smoothly through the Interstate 70 corridor in a small rental car.

"For some reason we're the only car that's still moving," she told CBS4. "Most cars are just stuck, their wheels are turning."

When traffic did move, it often led to accidents. The pileup took place near Floyd Hill and the Evergreen exit, and it led to a shutdown of the interstate that lasted for hours. The two people who were hurt haven't been identified.

Drivers trying to use alternate routes often experienced big delays, and there were many white-knuckle moments from behind the wheel.

"It's not easy no matter what you're driving, really," one driver told CBS4. "You've got to watch out for the other people that are out there and make sure that everything's under control."

Community Builds New Home For Family After 2013 Floods (CBS4 TV, Denver)

November 17, 2016 7:31 PM

By CBS4 Reporter Dillon Thomas

LYONS, Colo. (CBS4)– The Town of Lyons was one of the most heavily damaged communities in the September 2013 floods that struck Colorado. Severe flooding caused many homes to wash away, forcing families to move out of town.

At the center of the destruction was the Wechsler family home. The home was built on a property the family owned for more than 100 years.



(credit: Wechsler Family)

After the flood claimed their home, Dave and Cat Wechsler were forced to pack up and take their two sons to live in a mobile home.

"We've had to be in a camper at our business for the last three Christmas'," Cat Wechsler said. "It has been kind of a bummer."

Thanks to the generosity of their community, many came together to invest more than $300,000 worth of time, materials, and equipment into building the Wechsler's a new home.

The family was given keys to their reconstructed home on Thursday.

"I prayed that we would be here for the first snow, and it is starting to snow right now," Cat Wechsler said.

One of the main drivers behind the project was Adam Mack.

“It was a little emotional to see [the family move in,]” Mack said. “To understand the fear and terror they went through and knowing what they went through the past three years, it was important to get them back in for the holidays.”

Crews added 1,800 square feet to the structure and lifted the foundation to avoid future flooding damage.

“If that happened again, the house would be safe,” Mack said.

“The chances of another event like that happening again are slim. We are two feet higher now,” Dave Wechsler said.

The family said they were overjoyed to hear the community had selected them for the project, and were even more pleased to know they would be able to return to where their family had called home for so long, once again.

“It’s just nice to be back where I was before,” said Avery Wechsler, Dave and Cat’s son.



(credit: CBS)

“It is home. It is beautiful,” Dave Wechsler said.

“He has deep roots here, we never considered leaving,” Cat Wechsler said.

Milender White also presented the family with a $5,000 check upon entering the home, in hopes of providing new furnishing for the family.

MONTANA:

No FEMA-related stories

NORTH DAKOTA:

ND cancels tribal address, chairman calls decision a 'dishonor' (Fargo Inforum)

By Amy Dalrymple on Nov 17, 2016 at 9:24 p.m.

BISMARCK -- North Dakota legislators have canceled a traditional state of the tribes address in January due to security concerns over recent protests, but tribes will still have a chance to meet with legislative leaders at the start of the session.

Members of Legislative Management voted 10-3 Thursday, Nov. 17, to cancel the State/Tribal Relationship and the State of the Judiciary Address, citing concerns about security and the recent strain on law enforcement resources while responding to Dakota Access Pipeline protests.

Chairman Richard McCloud of the Turtle Mountain Band of Chippewa called it a "dishonor" when he heard legislators canceled the address, a tradition that leaders of North Dakota's five tribal nations have rotated in each of the past 16 legislative sessions.

"I've heard rumors that it's going to be a difficult session this year specifically for Indian Country because of what's going on in Standing Rock, that all the tribes would be paying the price," said McCloud, who delivered the address in 2013. "I feel that this is one way of starting that."

North Dakota Indian Affairs Commissioner Scott Davis said he worked quickly Thursday to find another solution after learning the event was canceled. Late Thursday, Davis told Forum News Service he had secured commitments from House and Senate leaders to meet with each of the tribes during the first week in January in place of the address in front of the legislative assembly.

"I'm glad they accepted," Davis said. "I think it's a better plan. It's more in-depth. You get more business done that way."

House Majority Leader Al Carlson, R-Fargo, who made the motion to cancel the addresses, said the state Capitol has been on lockdown numerous times recently due to protest activities. After meeting with the Highway Patrol to discuss security concerns, the legislative committee decided to cancel the speeches, which are not required in statute, out of safety concerns for Capitol workers.

"Our law enforcement because of the DAPL thing is stressed to the absolute limit," Carlson said.

Rep. Marvin Nelson, Rolla, who was among the three Democrats who opposed Carlson's motion, said canceling the address is the opposite of what the state should do to de-escalate tensions resulting from the ongoing pipeline protests.

“It’s a really bad time to have less interactions with our tribes,” Nelson said. “We need more interaction and more talk.”

Myra Pearson, chairwoman of the Spirit Lake Nation, was lined up to give the next address to legislators, planning to focus some of her time on the state of emergency the tribe has declared related to drugs on the reservation.

“We don’t have any relationship any longer with that state Capitol building,” she said.

Pearson said she tried to meet with someone at the Capitol in early September on the same day that a protest was underway outside the building. She and her grandson who was with her were met by a line of law enforcement inside the building.

“I was asked to leave. I was removed from there. I’ve never been back there,” Pearson said. “I don’t even go to Bismarck for meetings anymore.”

Pearson said she looks forward to meeting Gov.-elect Doug Burgum and is hopeful relations with the state will improve.

McCloud said most of the protesters who have been arrested since anti-pipeline demonstrations escalated in mid-August near the Standing Rock Sioux Reservation are from other states.

“Unfortunately, it seems like North Dakota tribes are going to have to suffer the cost,” he said.

Sen. Richard Marcellais, D-Belcourt, called the decision to cancel the address “a disgrace” and said he plans to investigate whether it was proper for Legislative Management to cancel the event without input from the entire Legislature. Legislative Management is a panel of 17 lawmakers that carries out certain Legislature functions between its biennial sessions.

“A lot of the incidents and trouble that’s going on, it’s not North Dakota tribal members,” said Marcellais, who said to his knowledge he’s the only Native American state legislator. “It’s out-of-state members that are causing all these problems.”

Standing Rock Sioux Tribe Chairman Dave Archambault II, who delivered the address in 2015, was unavailable for an interview Thursday, but he offered this statement:

“We are always honored to share our reality and we are always willing to build relationships with policy makers. The State of Affairs address benefits all members of our state,” he said.

Mark Fox, chairman of the Three Affiliated Tribes, said he thinks canceling the address is going to have a negative impact on state-tribal relations.

“It sends a bad message to the five tribes in North Dakota and I’m greatly concerned about it,” Fox said.

Davis said he plans to contact each tribal chairperson to inform them of the upcoming meetings with legislative leaders. The individual meetings will allow each tribe more time to discuss issues important to their members, Davis said.

“I think this plan is going to definitely improve on communication and consultation,” Davis said.

The discussions would likely be closed to the public, he said.

The motion to cancel the addresses was supported by Republican Sens. Ray Holmberg of Grand Forks, Don Schaible of Mott, Jessica Unruh of Beulah and Rich Wardner of Dickinson, and GOP Reps. Carlson, Wes Belter of Fargo, Bill Devlin of Finley, Jason Dockter of Bismarck, Dan Ruby of Minot and Jim Schmidt of Mott.

The Democrats who opposed the motion were Sen. Connie Triplett of Grand Forks and Reps. Nelson and Kathy Hogan of Fargo.

ND firefighters answer the call as volunteers vanish across the state (WDAY TV, Grand Forks)

By Ryan Laughlin on Nov 17, 2016 at 10:13 p.m.
Mayville, ND (WDAY TV) - You hope they never have to help you but when they do you'll be glad they're there. We're talking about firefighters.
There's a good chance the firefighters in your area are volunteer. In fact, 96% of departments in North Dakota are made up of volunteers. Now there are fewer of them than ever before.
WDAZ'S Ryan Laughlin explains why the volunteers are vanishing and what can be done about it.
There's a small population of North Dakotans, whether they be bankers or mechanics, who never have their phones on silent.
Eric Nesheim goes by Ernie in town. He's one of the few Mayville volunteer firefighters that live and work in Mayville.
He had to drop everything and head to a basement fire on the west end of town.
"We'll see what's what when we get there." said Nesheim.
Fortunately for the man who had his furnace ablaze, help is just around the corner.
"No real damage. They can smell a little smoke in the house but that was it."
But that's not always the case.
Across the country, fire departments are seeing fewer volunteers. Something Mayville Fire Chief Lee Brenna has seen firsthand.
"When I first joined this department I was on a waiting list. And that's the way it was," said Brenna. "You were on a waiting list and to wait until someone retire, or moved away, or did something like that."
That was in 1988. Then, Mayville had 50 firefighters on the roster. Today.
"We have 28 on a roster."
Risky, when response time hangs in the balance.
"Critical. Key. Seconds really do count," said Nesheim.

"It really went fast," said Lavon Nelson, lost home to fire. "The fire got into the attic and it just totaled."
Lavon Nelson lost his home to a fire back in June.
He's staying in a hotel now and he knows how important having enough manpower to fight fires is.
"There's no way to overstate their importance."
In Mayville, of the 28 firefighters, around five work in town.
"Mayville Fire Department was assisted by the Portland Fire Department, by Hatton and by Hillsboro. They all came and brought 15,000 pounds of water and did what they could," said Nelson.
While mutual-aid helps, declining volunteers means assisting towns are temporarily leaving themselves vulnerable.
The decline is so serious FEMA has cut North Dakota a check for $2.1 million. Money that will benefit the state for the next four years. Officials say the money is going to used for an ad campaign aimed at recruitment and retention of firefighters and enhancing firefighter education.
As for the team in Mayville, Chief Brenna is just hoping numbers start to rebound.
"There's always that fear, you get here first, you get the truck running and you're hoping there will be enough guys to come," said Brenna.
They're proud of protection they provide their community and are hoping they'll have the man power to continue doing so.
"Well I hope people will take a look at this and realize how much we are needed. A lot of times it just gets taken for granted that when the pager or siren goes off that fire department will be here. Well there has to be people on the fire department in order to get to that call.
North Dakota ranks 47th in the country in being equipped to fight fires and by putting you at risk is hurting your pocketbook.
Home insurance costs increase when fire departments aren't well staffed and when response times take longer.

Though snow light in Fargo, Lake Park already has half foot (Fargo Inforum)

By Forum staff reports Today at 9:54 a.m.
FARGO—As of 9 a.m. Friday, Nov. 18, snow totals varied widely across the region as a strong storm system that moved into the area Thursday night was expected to linger for much of the day Friday.
The heaviest snows were reported in the Detroit Lakes area and north toward Bemidji in Minnesota, according to Brad Hopkins of the National Weather Service in Grand Forks.
Hopkins said snow totals in Minnesota included 6.3 inches at Lake Park and 4.5 inches at Rothsay.
New York Mills reported 2.4 inches and Battle Lake reported 2.5 inches, according to Hopkins.
The Fargo-Moorhead area received relatively light snow overnight but winds Friday morning were in the neighborhood of 35 mph and gusting to 40 mph, Hopkins said.
Snow and strong winds were expected to linger in the region throughout the day, he said, adding that the heaviest snowfall was likely to remain restricted to areas where heavy snow has already been falling.

SOUTH DAKOTA:

Snow updates: No travel advised on most area roads (Sioux Falls Argus Leader)

No travel is advised on many highways and interstates in southeastern South Dakota.
No travel is advised on all highways south of Interstate 90 in southeastern South Dakota, as well as I-29 from Dell Rapids to Iowa and I-90 from Alexandria to the Minnesota border.
The National Weather Service in Sioux Falls says 4.8 inches of snow has fallen in Sioux Falls as of 10 a.m., although snow is beginning to taper off.
"The roads are pretty slick out there so allow a little extra time to reach your destination," NWS meteorlogist Todd Heitkamp said.
Despite the snow amounts, Sioux Falls street manager Galen Huber said the city will not issue a snow alert. That's because the warmer ground has already started to melt a lot of snow, and warmer temps and sunnier weather Saturday will melt it further.
Gusting winds reaching 40 to 45 mph are expected throughout the day, causing difficult travel conditions.

UTAH:

Santa Clara Sends Out Offers To Landslide-ravaged Homes (St. George Spectrum)

By Kevin Jenkins
St. George (UT) Spectrum, November 17, 2016

Santa Clara officials have agreed on the prices they will offer for three homes the city hopes to buy as it battles a slow-moving landslide on the south side of the Santa Clara Heights.

The Santa Clara City Council met Wednesday night to review appraisal reports and establish the offering prices following an executive session to determine its strategy in publicizing the estimated value of the properties it hopes to demolish.

City Manager Ed Dickie said the appraisers established what the properties are worth "as is" today and what they hypothetically could be worth if they weren't so severely affected by the landslide. In the end, the city opted to make offers substantially higher than the $34,000 to $50,000 current appraisals because "there's no way they'd be able to purchase a home for $34,000 or $50,000."

After considering the higher appraisal amounts and the county's assessment of the properties' value, as well as lot sizes and upkeep, the council offered $194,000 to the Patricia Nunnelly home immediately south of Santa Clara Elementary School, $196,550 for the nearby Ray and Charlene Bilancia home that is also off of Crestview Drive, and $237,550 for the Larsen home on Cinnamon Circle, next to another home the city has already been obtained.

"It all falls within the (Federal Emergency Management Agency) grant," Dickie said. "Of course, we have a … match."

The city will have to provide a 30 percent match to the $1.17 million granted July 26 by Utah's Department of Public Safety and Federal Emergency Management Agency to buy the three homes overlooking Santa Clara Drive and for earthwork to mitigate the movement of the slide.

The homeowners previously signed agreements stating they were willing to sell, but they still have the option of accepting the offer, appealing the value for a higher amount, or rejecting it outright.

They have until a Dec. 2 deadline to decide, Dickie said. If they accept the offer, the city is prepared to move quickly to pay them and transfer the title. If any of them appeal, they can present their case to the council at the following general meeting set for Dec. 14.

The Larsens said they do not want to comment on the issue. Ray Bilancia and Patricia Nunnelly said Thursday they had not yet had time to thoroughly consider the packet of information delivered to them earlier in the day.

"We're going to do that tonight as a family," Nunnelly said. "They didn't offer us what we had hoped for. … It's not going to be comparable to what we have. … But we probably will have to (take it), though, because this place is falling apart."

Bilancia said he has lived in his home 20 years and Nunnelly said she has been in hers 24. They did not attend Wednesday's meeting, and Bilancia said he was unaware the council had planned to decide the offers then.

St. George real estate appraisal firm Morley and McConkie established the values. Dickie said the anticipated costs now exceed the original application by approximately $18,000, but the city may be able to save some money in other areas.

"The project can still go on without two of the properties. But one of the properties is pretty crucial" to the anticipated slide mitigation project, Dickie said.

"The actual work hasn't started yet," he said. "There's still some tests being done. … We should have most of the results in soon."

An Applied GeoTechnical Engineering Consultants crew operated a mud rotary drilling operation at the end of Circle Drive on Thursday as part of the ongoing ground exploration work, collecting soil samples.

"We're just hoping that this stabilization of the hillside will help," Dickie said.

AGEC's James Nordquist provided an initial evaluation of the slide in 2014 that showed two long-existing natural springs in the hill's slide zone that had been increasing their output in recent years and that there were new signs of instability in the slope.

In August, the council approved Nordquist's proposal to fund additional subsurface exploration, lab testing and engineering analysis.

"A major contributing factor in the stability of the hillside is the moisture and weathering conditions of the clay-like materials. The stability analysis conducted in 2014 assumed moist soil conditions on the southeast-facing slopes and only extended a few feet below the clay/bedrock surface along the southwest-facing slopes," the proposal stated. "In order to improve the reliability of the stability analysis, we recommend that the moisture and weathering conditions of the soil and bedrock behind the landslide mass be further defined."

The nature of the work is expected to be similar to the project undertaken in September in Washington City, between the Washington Parkway and the Coral Canyon subdivision, where a large amount of earth was placed against the foot of the hill and weight pressing on the upper part of the hill was reduced.

WYOMING:

Snowstorm hits Wyoming, closes roads in the southeast corner (Casper Star-Tribune)

The first widespread snowstorm of the season hit Wyoming on Thursday, dropping heavy snow and causing poor travel conditions in much of the state.

Much of the state was under a winter weather advisory Thursday, with winter storm warnings posted for Sheridan County, in northern Wyoming, and along the Wind River Range, in the central part of the state.

The slick conditions forced the closure of Interstate 80 and U.S. Highway 30 between Laramie and Cheyenne on Thursday afternoon, according to the Wyoming Department of Transportation.

Light snow fell Thursday in Casper, with a temperature of about 25 degrees and wind gusts expected to reach 34 mph, according to the National Weather Service. The weather service's Riverton office was forecasting the storm could drop 3 to 5 inches on the Oil City.

Lander and areas of Yellowstone National Park were estimated to have received a foot of snow. Up to 5 inches of snow fell on ski resorts in Jackson Hole.

Slick conditions were reported on parts of Interstates 80, 90 and 25, and no unnecessary travel was advised on a few two-lane highways in northern and central Wyoming.

The snow was expected to taper off Thursday afternoon, with below-freezing temperatures predicted for Friday.

Report: Disasters Are Even More Disastrous Than We Think (Wyoming Public Radio)

By editor • Nov 14, 2016

The devastation in floods, earthquakes or droughts is generally measured by how much stuff or assets people lose — say the number of wrecked houses and the dollar amount it would take to rebuild them. In the course of a year, that adds up to a lot of money: $300 billion by some accounts.

But a new report from a research group at the World Bank says the toll could be a lot more if it were to look beyond stuff that's lost and see how livelihoods are affected, particularly for a country's poorest people. Those losses aren't taken into account by traditional analyses — and could add up to an additional $200 billion a year, says Stephane Hallegatte, an economic analyst at the World Bank Global Facility for Disaster Reduction and Recovery group and lead author on the report.

"If magically, next year, we could prevent all disasters, 26 million people would be out of poverty," he says. Either because natural disasters destroy their wealth and push them down, or the shock prevents them from climbing out of poverty.

Goats and Soda spoke with Hallegatte about how natural disasters disproportionately hurt the poorest people — and ways to help mitigate some of that damage. The interview is edited for length and clarity.

When you looked at how much people lost in natural disasters, poor people were losing way more than rich people. But this fact wasn't captured in traditional analyses?

Yeah. We find that poor people are more often affected by natural disasters. If you look within cities, you find people in richer categories taking the best land and poor people in the risky places. This is because it's cheaper to live in a risky area or it's the only available land.

When they are hit [by disaster], all of their assets and wealth are in material form that can be destroyed. In villages, people have livestock that can die in a drought or flood. And people who are poor are twice more likely to live in fragile buildings that are completely destroyed when flooded or stormed, and they lose everything.

So if their livestock or a cart they use in a business is destroyed, poor people end up making less money?

Exactly.

Rich people will lose some of their wealth, too, right?

We take into account that when the rich person loses 10 percent in consumption, it means going to restaurants less or cutting vacation. But for the very poor people, this is education of kids, health care and food. So the value of one dollar is much higher for a poor person than for a richer person. [Some of] these consequences will last for generations. Like children being taken out of school.

One scary finding from a study [of over 52,000 children] in Mexico is that when kids are removed from school because of a shock, 30 percent will not go back. We also have evidence that parents have to cut food intake on the family [after a disaster]. When this happens to children between 0 and 2, this has permanent impacts on their physical development and the income this person will make for the rest of their life. What we find in case studies is that shocks poor people experience are eating at the very basic needs to survive to the point it has chemical impacts on them.

You bring up an example of the July 2005 flood in Mumbai, which caused like $400 million in damage. But when you looked at the damage to people's well-being, the toll went way up?

In the report, we use an estimate [where the loss in Mumbai] was 30 billion rupees, about 400 million of asset losses only. [But] the well-being losses were double that of asset losses at 60 billion rupees or $800 million. This is because poor people were 70 percent more likely to live in the flood zone, and they lost 60 percent more than the rest of the population when they were affected.

So a huge portion of the damage was shouldered by the poor people in the city. It seems if we were just to look at assets as a way of funding projects that protect against disasters, we would completely miss out on this enormous burden on poor people.

Looking at asset losses is not wrong per se. It gives you a sense of how much it will cost to reconstruct and rebuild. [But] if the World Bank wants to focus on the poorest people, it's not the right way of measuring [the impact on them]. We are making the point that if we pick a project [protecting against natural disasters or rebuilding] using only the asset losses, well, it will be for the richer areas and the richer people.

So the idea is to move toward investments that quickly help poor people recover from natural disasters so they don't have to pull kids out of school and put them to work and take other drastic measures to survive?

That's exactly our point. We have a list of policies that we recommend. Financial inclusion to make sure that poor people have savings in bank accounts that can't be destroyed in a flood and make it easier for them to borrow money after a shock. Then social safety nets that are designed to react to shocks. Kenya introduced a very innovative system to deliver financial support to people affected by droughts using mobile banking. Last winter, they could get money into the hands of people in less than two weeks. If you can do that in two weeks, you ensure the avoidance of starving kids and kids out of school and so on.

[These] and other tools smooth the shock but also avoid impacts that are irreversible.

As we try to eradicate poverty, the role of these shocks is becoming more and more important. We really see this work of helping people rebound after they are hit by a shock being more and more central to poverty reduction and development.

Other FEMA-related stories:

ABC: Severe Weather. ABC World News Tonight (11/17, story 4, 1:30, Muir, 14.63M) reported, "We do move on now to the other news this Thursday night. That first major blizzard set to hit, and the snowstorm already turning deadly. A difficult commute on the roads in Wyoming. Nine states, in fact, from Utah to Minnesota, in the storm's path, as the system moves east. At least one person killed in this pileup on Interstate 70 near Denver. And it was near Denver, temperatures dropped from 80 degrees one day to the 20s and 30s the next. ABC's Clayton Sandell from Colorado." ABC (**Sandell**) added, "Tonight, this winter storm is moving fast, but drivers are not. In Wyoming, cars spinning, sliding, and stalling in dangerously heavy snow that's bringing branches down on power lines. In the mountains west of Denver, state troopers are investigating deadly crashes on snowy roads. One major pileup of cars and trucks clogging the interstate. Chains are now mandatory." **Unidentified Speaker**: "It's pretty slippery. It's pretty dangerous out here." **Sandell**: "The storm is now shoving aside an unusually warm fall. It was golfing weather yesterday in Lincoln, Nebraska. Yesterday, Denver was record hot, 80 degrees. But today, it's only 34 degrees. A 46-degree drop in just 24 hours. In Denver, the snow is arriving about a month later than normal. And David, we're standing in the middle of Interstate 70, just west of Denver here. We understand there's a 20-car pileup just ahead, but right now, this major interstate is

completely shut down. David?” **Muir**: “Wow, the pictures bring it back and quickly. Clayton, our thanks to you.”

From: Welch, Randy
Sent: 23 Feb 2017 14:31:26 -0500
To: R8 All Hands
Cc: (b)(6) (b)(6) @state.co.us;(b)(6) @mail.mil;(b)(6) @mail.mil;(b)(6) @nd.gov(b)(6) @state.sd.us;(b)(6) @state.sd.us(b)(6) @utah.gov(b)(6) @wyo.gov;(b)(6) @acf.hhs.gov;(b)(6) @usace.army.mil;(b)(6) @usace.army.mil;(b)(6) @state.mn.us;mark.peterson2@dhs.gov;(b)(6) @hhs.gov(b)(6) @hhs.gov;(b)(6) @hhs.gov(b)(6) @sba.gov;(b)(6) @sba.gov;Nelson, Jason(b)(6) @fs.fed.us;Alexander, Daniel;(b)(6) @atf.gov;(b)(6) @aveshka.com
Subject: FEMA Region VIII clips for Thursday, 2-23-17
Attachments: R8 Clips 02-23-17.docx

Region VIII Clips
Thursday, Feb 23, 2017

ANALYSIS

- *Colorado*: A lengthy letter to the editor argues against a new hydrology study in Estes Park… A business development group in Sterling says it has new SBA "grants" to help businesses affected by the 2013 floods. … Dry, warm weather has led to fire bans across the Denver metro area.
- *Montana*: No FEMA-related stories
- *North Dakota*: Two stories report on the mostly voluntary evacuation at the camp of protestors against an oil pipeline being built… AP reports on a meeting today with Senators Hoeven and Heitkamp at Drayton with various officials to discuss flood preparedness … A press releases announces a public meeting, also accessible via video and telephone, on emergency preparedness.
- *South Dakota*: The Pretty Flower Fire has been contained and evacuation orders lifted.
- *Utah*: Three stories report on the extensive flooding in Box Elder County, including a prediction by Lieutenant Governor Spencer Cox that the state would request federal help and that the damage there and in Cache County would meet "thresholds" for that help. (Box Elder County is north and west of Great Salt Lake; Cache County is east of there and of I-15, around Logan)…. Congressman Jason Chaffetz of Utah is demanding records from FEMA on the mobile housing units in Louisiana after an elderly man was found dead in an overheated unit there.
- *Wyoming*: The *Powell Tribune* reports on the flooding along the Big Horn and Greybull rivers… The USDA proposes a program to help identify areas that might be at risk from flooding… A Cheyenne task force to fight blight is considering a FEMA grant that provides money for remediation.
- *Other FEMA-related stories*: The *Washington Post* reports on a loss of forest canopy in the U.S., particularly in rural areas and in the West… An Arizona congressman writes in an opinion piece that climate change and aging infrastructure combine to cause increasing problems, including "climate refugees" within the U.S.

CONTENTS

COLORADO:

Letter To Town Board And Citizens Of Estes Park Re: New Hydrology Study (Estes Park News)

New Small Business Administration grants offered to help businesses impacted by flood (Sterling Journal Advocate)

More Communities Put Fire Bans in Place on Colorado's Front Range (CBS Ch. 4, Denver)

MONTANA:

No FEMA-related stories

NORTH DAKOTA

Two minors injured at DAPL protest after ordered evacuation (WDAZ TV)

North Dakota Arrests 10 as Pipeline Protest Camp Empties (NY Times)

Hoeven, Heitkamp to discuss flood prep in NE North Dakota (AP)

Public Hearing on Emergency Preparedness Activities (North Dakota Ag Connection)

SOUTH DAKOTA:

Wildfire Contained, Evacuation Orders Lifted In Western SD (AP)

UTAH:

Utah to ask for help from feds over northern Utah flooding (KUTV)

Utah National Guard deployed as 90% of Box Elder County communities affected by flooding (Fox 13)

'Difficult times:' National Guard, neighbors step in to help following Box Elder County flooding (Deseret News)

Utah congressman demands FEMA's Louisiana flood records, says man died in overheated trailer (Baton Rouge Advocate)

WYOMING:

Flooding in Big Horn County (Powell Tribune)

USDA proposes future flood relief program (Northern Wyoming Daily News)

"Fight The Blight" Task Force Considers Ways To Tackle Properties (Wyoming Tribune Eagle, Cheyenne)

FEMA-RELATED STORIES

You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

Americans Once Moved Away From Forests. Now Forests Are Moving Away From Americans. (Washington Post)

Climate Change Tied To Nation's Infrastructure Needs (The Hill)

STORIES

COLORADO:

Letter To Town Board And Citizens Of Estes Park Re: New Hydrology Study (Estes Park News)

- Feb 22, 2017

HISTORY:

In the 1970's when the federal government started getting increased demands for disaster relief it was decided that some sort of regulation was needed to try to prevent losses and that some sort of mandatory federal insurance was needed offset the losses. FEMA was formed. Although FEMA provides recovery funds for all sorts of disasters flooding was the most common and the most predictable. It is the easiest to keep people away from (it's hard to tell people they can't build in "Tornado Alley" when you can't define it). It was decided that the reasonable level to regulate to would be the 100 year flood. That is the level of water that has a 1% chance of happening in any given year. It is only a statistical number. It could happen or be exceeded in any given year or several times in 100 years or not happen in 500 years. Laws and regulations and insurance rates were passed. Rules were established to determine

what amount of water would be the statistical 100 year event on any given waterway using historic measured data or by estimating data by hydrologic studies. The rules state that where measured flow data exists for more than 10 years that it should be the basis. This makes sense since the result is a statistic and measured data is always more accurate than estimated data. We are fortunate in that the stream gage at the Visitor Center has a daily record for 69 years. Fall River has 29 years of intermittent records dating back to 1945.

Hydrology is the study of water runoff. Contrary to the opening statement of the new study, it is not a new science. It has been around for many decades and has been the basis for design for everything from street culverts to the world's largest dams with millions of lives at risk. Its fundamentals are universal. To say that the hydrology of the 1977 study or subsequent studies is no longer relevant is wrong. There is no evidence of them being in error or inadequate. There is another 40 years of records which further substantiates prior records. All of the previous studies and reports have led up to the most recent study and regulation which was approved by FEMA, the State of Colorado and the Town in March of 2013. This study does not differ significantly from anything done in prior 40 years. One has to ask how one event that statistically could happen in any given year could cause results that are multiples higher in the new study than anything before. The answer is that it shouldn't. What did happen is the State of Colorado got much criticism after the 2013 flood for not being better prepared or getting warnings out sooner. The result was to pass legislation providing grants for local governments to redo their regulations to provide "more protection" i. e. make larger regulated flood plains. This results in more insurance revenue for FEMA with reduced risk. It also makes properties that were not previously in a flood plain almost totally restricted, virtually prohibiting replacement and redevelopment and establishes mandatory insurance that costs thousands of dollars. The whole goal of a flood regulation is to get buildings out of the floodway. This will have a devastating effect on the westerly portion of the central business district and to the town economy. It also is a major injustice to those owners who have built or purchased improvements that at the time were legally outside the floodway. Now, because of a major change in interpretation, their property is reduced to a fraction of its value. Not only will these properties not be able to expand to compete, if they are damaged by any cause to 50% of their value they will not be able to be replaced leaving ground that is virtually worthless. Beyond that they immediately will be hit with mandatory flood insurance that costs much more than normal hazard insurance and only covers floods (that in the expanded areas have only occurred once, in 2013, in recorded history). This added cost will have to be passed on with higher prices on goods sold leaving the whole area at a competitive disadvantage. I cannot imagine a merchant renewing a lease under these conditions.

THE NEW HYDROLOGY STUDY:

The proposed hydrology study when first submitted after extensive peer review by "esteemed" professionals had a 2013 flow in Fall River of 3800 cfs which was used in developing flow models and resulted in a 100 year flow of 3580 cfs. This was based on a single flow estimate using a new method called the "critical depth method" instead of the traditional "Manning's Equation" which is a more involved method. It was pointed out in a prior review that even when properly applied the "critical depth method" will always yield high results due to disregard for debris, sediment, turbulence and not having a level water surface. It may be faster and easier but it is not accurate. After it was shown to the consultants that 3800 cfs could not of occurred, they had the person who developed the "critical depth method" go back and check the Fall River Lane Bridge that did not over top. He then came up with the number of 2000 cfs which is the maximum that can be put through the bridge, filling it all the way to the bottom chord. This could not happen without creating a back water and did not happen as verified by eye witnesses. The request to adjust this number was denied and it is reflected in the final version of the study. Even this amount of correction brought the 100 year event down to 1860 cfs. Which is a reduction of almost ½ from what would have been adopted had the study not been objected to. This one correction over time amounts to millions of dollars that would have been lost by local citizens.

The Army Corps of Engineers has developed a computer program called HEC – SSP for calculating statistical flow quantity frequencies from stream data that is the required method to be used for flood studies. FEMA has published guidelines for how data is to be treated. Bulletin 17B specifically describes the method by which events that are so far different from the regular range of events are determined to be "outliers". These outliers are treated in a historical context rather than a systematic event. This has the effect of buffering and significantly lowers the 100 year event. The length of the historical context is dependent on how long a period has expired since a similar event. The longer the period the more the buffering. There is no doubt that the 2013 event on Fall River is an outlier as the calculation was preformed both by the consultant (Appendix B, p. 99/333) and by Van Horn Engineering in its review (Appendix H, p. 266/333). In its response to the VHE review (p. 266/333) the consultant refuses to consider 2013 a historic event even though it is an outlier stating there is no prior historic evidence (p. 266/333). This is categorically untrue as the flow of Fall River is included with the Big Thompson and Black Canyon at the Visitor Center gauge which has 69 years of record and is a short distance downstream. The combined flow of all three has never approached the Fall River outlier providing historic proof positive. The instructions specifically say for the preparer to investigate all available history and adjacent data. Modern occupation and written accounts date back to the 1870's and no similar event has ever been recorded nor is there any physical evidence which would still be evident had it

occurred. If the 100 year event were correctly calculated (VHE review p. 263 – 271/333) it would come much closer to previously approved studies.

CONCLUSIONS:

The effects of adopting the study as presented are uncalculatable. By increasing the 100 year event by multiples many properties that have not been in the flood plain since its inception 40 years ago will now be severely restricted and heavily taxed by flood insurance. The values of these properties will be a fraction of what they are now. This represents a taking for a public purpose without compensation (like condemning land for a road) and the Town needs to be very careful and sure before they take such an action. It is hard to imagine a very high confidence level in a study which has already been shown to have very large errors in its estimates. In most instances of the government changing regulations there is a provision of "grandfathering" those people who legally relied on previous rules. This is not the case here and the total loss will be borne by the impacted individuals who have to depend on their elected officials to protect their interests.

There are two things the Town Board can do. One is to send the study back to the consultants and tell them to not to use impossible estimates for Fall River and to follow the rules and treat the 2013 flood as the historic event that it was. The other is to not adopt the study at all and use the perfectly valid and approved 2013 study which is the legal regulation now. The flood maps are going to have to be redrawn no matter which hydrology is used because of channel changes. This will establish the new flood regulation.

Bill Van Horn, PE 9485

New Small Business Administration grants offered to help businesses impacted by flood (Sterling Journal Advocate)

Jones gives yearly report on Small Business Development Center activities

By Callie Jones

Journal-Advocate news editor

POSTED: 02/23/2017 07:02:21 AM MST

Eastern Colorado Small Business Development Center is again seeking to help businesses impacted by the 2013 South Platte River flood. Laurie Jones, SBDC's Logan County business consultant, spoke to the commissioners Tuesday about the second round of a flood/disaster recovery grant program.

After the flood first hit, Jones had over 100 businesses contact her and at that time the Small Business Administration (SBA) came to Sterling and established an office with FEMA (Federal Emergency Management Agency), to help business owners and residents impacted by the flood apply for an SBA loan. Eligible applicants could get up to $50,000.

"The challenge we had is the requirement is they had to go through the SBA loan process in order to qualify. That was a very lengthy and it was a very frustrating process, and it was a direct to the SBA, as opposed to going through a bank," Jones said.

Because of that, in Logan and many other counties, there weren't many people that received funds. Though Jones did say she had some clients get a $50,000 grant and more often they received $5,000-$10,000 grants.

The state has now changed the program and Jones is able to go back and reach out to those 100 clients, "and of those I think I've got a pretty good shot, if they're willing to go through the process, of getting them some grant funding," she said.

She noted this time the application is much simpler, but applicants must prove that due to the flood they lost at least $5,000 in revenues and it can't just be during the days the city was shut down during the flood. They have to show financially that into 2014 they had less revenue than, say, in 2013, 2012, etc.

"So, we have a process, it's much more streamlined and I believe based on the people I've already met with I can get a lot of money out into the hands of them," Jones said.

She pointed out that child care providers were a real challenge in the first round of grants and she's still not sure they'll be able to meet that $5,000 loss, "but I'm going to go back out and try to reach through that group again," Jones said.

There is an emphasis to try to get this outreach done over the next couple months, because as things change there is no guarantee SBA will continue to have that grant funding available.

Jones noted the new program also includes fires, so she is trained in if there is any kind of major disaster here, "we now have a process that we can step into to help our business community with some funds," she said.

Additionally, Jones gave a yearly report on SBDC. Over the last five years, she's met with about 210 business owners in Logan County and there are around 600 to 650 businesses total....

Callie Jones: 970-526-9286, cjones@journal-advocate.com

More Communities Put Fire Bans in Place on Colorado's Front Range (CBS Ch. 4, Denver)

February 22, 2017 12:03 PM

Filed Under: Fire Bans, Wildfires

DENVER (CBS4) – For a stretch of 37 days there has been no measurable precipitation across the Denver metro area.

With that dry weather and persistent unseasonably warm weather fire danger has shot up, and several county and city managers have enacted fire restrictions in the past few days.

The following is a list of all the areas with fire restrictions:

– Jefferson County (unincorporated areas), plus Lakewood and Golden – Stage 1 fire restrictions (see below)

– Arapahoe County – ban on all open fires and open burning

– Adams County (unincorporated areas) – Level 2 Burn Restriction

– Douglas County, plus Castle Rock

– Boulder County, plus Lafayette

– Teller County

– Elbert County

– Lincoln County

– Las Animas County

Check the website coemergency.com for the latest updates on fire bans in Colorado.

Officials in Golden described the Stage 1 restrictions as follows:

All open burning, including bonfires; open flame torches and welding in wildfire risk areas and model rockets are prohibited. Also banned is the use of recreational fires within 30 feet of undeveloped areas including green belts and open space lands. Smoking within six feet of any outdoor area not cleared of combustible vegetation is also prohibited.

Exceptions to these temporary restrictions include: supervised public fireworks displays by a state licensed operator (subject to specific GFD operational permit requirements); outdoor cooking fires contained within commercial gas fueled grills, enclosed wood or wood pellet grills or smokers; enclosed outdoor fireplaces or chimineas; powered yard equipment for landscape purposes; any federal, state or local law enforcement officer or member of an organized rescue or firefighting force in the performance of an official duty.

Wildfire Resources

– Visit CBSDenver.com's Living With Wildfire section.

MONTANA:

No FEMA-related stories

NORTH DAKOTA:

Two minors injured at DAPL protest after ordered evacuation (WDAZ8)

CANNON BALL, N.D. — A few dozen protesters remain camped out Wednesday night, despite the day's 2 p.m. evacuation deadline.

After taking a break Wednesday, come 9 a.m. Thursday, crews are moving in, saying the region is on the brink of an environmental disaster.

The 2 p.m. deadline has passed and up to 50 protesters remain. The state is giving them until 9 a.m. Thursday to get out.

"They will have every opportunity to leave the camp tomorrow without arrest," Gov. Doug Burgum said at a press conference Wednesday evening at the Morton County Courthouse..

Ten protesters did turn themselves in Wednesday outside the camp.

"You had to try and be arrested today," said Burgum.

For the most part, the arrests took place without incident.

"We are following up on a hip injury involving someone who was arrested," said Morton County Sheriff Kyle Kirchmeier.

Prior to the evacuation, there was one last march against the Dakota Access Pipeline.

More than a hundred protesters left Cannon Ball to avoid arrest.

The governor says about 70 people have taken advantage of a state-funded program supplying them with hotel rooms and bus tickets.

While Burgum could not provide a cost to taxpayers at this time, he calls the program his decision.

"We are saving taxpayer dollars anytime we can buy a bus ticket and hotel room versus trying to put them through the legal system," Burgum said.

There was a near tragedy Wednesday as protesters intentionally set nearly two dozen buildings inside the camp on fire.

In one of the blazes, a 7-year-old boy was hurt along with a 17-year-old girl following either an explosion or flames that got out of control.

'There was a 17-year-old woman who was severely burned and she's been airlifted to Minneapolis," Burgum said.

After not being allowed in the camp Wednesday, contractors hired by the Army Corps of Engineers plan to return first thing in the morning.

It's a race against time and the cleanup could take more than three weeks due to the amount of debris left behind, the cost to taxpayers, likely over $1 million.

"To ensure none of this garbage, none of this waste, debris and structures and vehicles end up in the reservoir. That would be an environmental catastrophe," said Col. John Henderson of the Army Corps of Engineers.

Due to the amount of junk still left behind and not knowing what is buried beneath feet of mud, the contractors actually underwent hazmat training for their safety.

The company building the pipeline says they could have oil flowing as soon as March 6.

North Dakota Arrest 10 as Pipeline Protest Camp Empties (NY Times)

CANNON BALL, N.D. — The fires burned for hours on the flat, muddy landscape, their thick smoke rising through snowflakes that tumbled to the ground. Someone rode a snowmobile across the dirt, and others moved their belongings to the side of a rural highway. The police gathered, prepared to follow the governor's order to clear people from this rural part of the state.

But the Wednesday afternoon deadline for protesters of the Dakota Access oil pipeline to empty their largest encampment passed with far more uncertainty than unrest. In the hours after the deadline, the authorities made 10 arrests but said they would not fully empty the camp on Wednesday night.

Roughly 25 to 50 demonstrators were believed to remain in the mandatory evacuation zone, said Gov. Doug Burgum, who said cleaning crews planned to enter the camp Thursday morning. "Anyone who obstructs our ability to do cleanup will be subject to arrest," Mr. Burgum said.

The scene here, about an hour's drive south of Bismarck, the state capital, seemed to represent a muffled end to a specific and passionate protest that drew thousands of demonstrators and became central to the national debate about energy, the environment and the rights of Native Americans. Protesters argued that the nearly completed pipeline, now moving ahead with the support of President Trump's administration, could imperil the drinking water supply on the Standing Rock Sioux Reservation.

"We won," said Vanessa Red Bull, 54, who has spent months here. "We slowed that pipeline down months and months and months. We cost them who knows how much money. And we slowed them down."

She added, "This has been a multilayered event that has brought attention to glaring issues."

Ms. Red Bull and her allies won a brief victory last year, when the Army Corps of Engineers said in the waning days of the Obama administration that it would conduct an environmental impact study before allowing the 1,172-mile pipeline to cross Lake Oahe, the Missouri River reservoir near the encampment. But the beginning of the Trump administration brought a swift and substantial defeat: an instruction that the Army abort its study, a decision that allowed construction to resume.

Barring court intervention, oil from the Bakken fields in western North Dakota could flow through the pipeline this spring. But on Wednesday, the matter at hand was what to do with the encampment, which had become an abiding and, for some, spiritual symbol of activism. State officials cited fears of flooding for the governor's decision last week to order a mandatory evacuation of the site.

"It's time for protesters to either go home, or move to a legal site where they can peaceably continue their activities without risk of further harm to the environment," the North Dakota attorney general, Wayne Stenehjem, said in a statement. Officials said that trash at the protest camps would pose an ecological risk if it were washed downstream by flooding, and that urgent cleanup was necessary.

Both sides have accused the other of escalating tension and engaging in violence since the protest started last year as a decidedly local affair. The camps ultimately swelled to thousands in the summer and fall, with Native Americans and supporters from across the country gathering in spirited opposition and setting up a makeshift society in the camps, complete with cooking tents and supply areas.

But on Wednesday, months of tension mostly gave way to a somber calm as demonstrators left and a cold rain turned to snow. Some protesters set fire to semipermanent structures before the 2 p.m. deadline.
“It’s an act of defiance,” Nick Cowan, 25, said as he watched a fire burn on Wednesday after living here for more than two months. “It’s saying: ‘If you are going to make us leave our home, you cannot take our space. We’ll burn it to the ground and let the earth take it back before you take it from us.’”
Two youths were injured at the camp Wednesday, apparently from the fires, officials said, including a teenage girl who was hospitalized with severe burns.
North Dakota officials offered meals, lodging, a medical exam and a bus ticket to anywhere in the 48 contiguous states for protesters who left by Wednesday afternoon but needed help getting home.
That approach was at odds with events of recent months, when the demonstrators sporadically clashed with the police, leading to the activation of the North Dakota National Guard and hundreds of arrests. The police sometimes used tear gas and rubber bullets. The North Dakota Guard said on Wednesday that it had spent more than $8 million responding to the protest since August.
Despite the lingering frustrations, tensions seemed to have eased in recent weeks as the ranks of demonstrators declined during the harsh winter. Dave Archambault II, the chairman of the Standing Rock Sioux Tribe, which has sued seeking to block the pipeline construction, urged protesters to go home.
On Wednesday, many of them did.
“I think people are saying goodbye,” said Ms. Red Bull, who spent about six months here. “I think that’s why people are setting things on fire: as a way of a last homage to what had become many people’s homes. A community was here.”"

Hoeven, Heitkamp to discuss flood prep in NE North Dakota (Associated Press)

DRAYTON, N.D.
North Dakota's two U.S. senators will be in Drayton on Thursday to discuss flood preparation in northeastern North Dakota this spring.
Sens. John Hoeven and Heidi Heitkamp will meet with federal, state and local officials in the afternoon. The meeting is aimed at making sure communities are prepared for possible flooding.
After the flood outlook meeting, Hoeven and Heitkamp will tour Drayton's earthen levee.
The recent flood outlook from the National Weather Service shows an increased risk for moderate to major flooding in the northern Red River Valley. The outlook also projects near-record runoff for the Devils Lake Basin.

Public Hearing on Emergency Preparedness Activities (ND Ag Connection web site)

The North Dakota Department of Health has scheduled a public meeting designed to educate the general public about emergency preparedness activities and provide an opportunity for public comment. The meeting will be held March 2 at 1 p.m. CST at 1720 Burlington Drive in Bismarck. Participants may also join via teleconference by dialing 1-855-361-4591. In addition, the public also can participate through video conference at participating local public health units

throughout the state where video conference is available, or the meeting can be accessed online via live webcast.

"Extensive use of the public health and medical response systems have been successfully implemented in the last several years in response to civil disturbances, equipment malfunctions at medical facilities, medical facilities evacuations, fires, flooding, tornadoes and other weather emergencies," said Tim Wiedrich, section chief of the Emergency Preparedness and Response Section of the North Dakota Department of Health. "This meeting will give people a chance to learn about the work that has been done and give us feedback."

The meeting will start with a presentation highlighting the planning that has been done and will conclude with time for comments. To participate, contact your local public health unit or call the toll-free phone number. To access the webcast online, follow these instructions:

Step 1. Before the webcast, please check that your computer can play Windows Media streams. Mac users may download Windows MediaComponents for Quicktime from www.microsoft.com.

Step 2. Type the following link into your browser: http://www.ndhealth.gov/WebcastHigh.asx.

The feed typically starts within 15 minutes before the scheduled time. The webcast is for viewing only. If you wish to ask a question, please call the teleconference line.

Please note that there is a delay between the webcast and teleconference feeds by several seconds. If you are watching the webcast and would like to call in with a question, please use your phone's audio instead of the computer to avoid confusion due to the sound delay.

SOUTH DAKOTA:

Wildfire Contained, Evacuation Orders Lifted In Western SD (AP)

Associated Press, February 22, 2017

HAYWARD, S.D. (AP) — A wildfire that threatened up to 30 homes in western South Dakota has been contained and evacuation orders have been lifted.

Incident Commander Ray Bubb declared the fire 100 percent contained Wednesday morning. Two engines and two crews were left in the area to finish mopping up the fire that started Tuesday and had spread to over 33 acres of mostly private land near Hayward.

Investigators say the fire, dubbed the Pretty Flower Fire, sparked from a burning slash pile and spread because of dry, warm and windy conditions Tuesday morning. By late Tuesday afternoon the fire crews had begun to leave the fire as it was 75 percent contained.

Officials say all remaining work on the fire has been handed over to the South Dakota Wildland Fire Suppression team.

UTAH:

Utah to ask for help from feds over northern Utah flooding (2 KUTV)

BOTHWELL, THATCHER, ELWOOD and NORTH GARLAND: the Box Elder County Emergency manager said those are among the areas with the most dramatic flooding -- which has now stretched for days.

The county reported Wednesday 30,000 bags have been filled with roughly 700 tons of sand for the most immediate response; and a dozen members of the Utah National Guard arrived in

Tremonton, Utah, with a machine to automatically fill the bags at the Box Elder County Fairgrounds.

Lt. Governor Spencer Cox choppered above the flooding on Wednesday, said he was surprised by the amount of standing water on property north of Ogden, and said the state will make a plea to help from the federal government.

Cox thought damage "thresholds" have been met to trigger federal aid. What is unclear is whether that money, if approved, would go solely to cover repairs to public infrastructure, or whether private property owners could get some assistance.

Cox said he is most concerned with the high water now, precipitation which is coming, and property damage.

Box Elder County said it has 13 pumps operating now to divert floodwaters, with six more on the way. The county is also "monitoring three landslide locations."

It is also "dealing with floods in western Box Elder County due a Nevada dam break."

Wednesday night, the Red Cross was scheduled to hold an open house at the Aldersgate United Methodist Church in Brigham City for those affected by the flooding.

Utah National Guard deployed as 90% of Box Elder County communities affected by flooding (Fox 13)

BOX ELDER COUNTY, Utah - Dozens of community volunteers worked for hours Wednesday evening to fill hundreds of sandbags at the Box Elder County Fairgrounds.

They took over after the Utah National Guard spent all day filling bags in an effort to relieve massive flooding in the area.

"Twelve personnel right now, so it's a smaller contingent, but we do have a sand-bagging machine," explained Capt. Lance Curzon during a press conference Wednesday afternoon.

Box Elder County Commission Chair Stan Summers said they've gone through 30,000 sandbags and 700 tons of sand, all to combat the catastrophic flood.

"One of the worst floods that I've seen in my lifetime," he said.

He estimated 90 percent of the communities in the county have been affected. The flood filled basements with water, shut down businesses and closed waterlogged roads, he explained.

"Nowhere to go, all the ditches are full, all the canals are full," Summers said.

Lieutenant Governor Spencer Cox saw it for himself Wednesday afternoon, during a tour in a helicopter and on the ground. While the damage was apparent in a video he filmed from the sky, he reported good news.

"The water has receded significantly, and that has to do with the temperature more than anything," Cox said.

Summers also explained they put out more than a dozen pumps to reroute water, and a half dozen more are on the way.

Many roads reopened, with only a couple still not passable.

But Lt. Gov. Cox expressed that what he witnessed also worried him.

"Problem now is has moved north," he said, of the flooding. "We saw that from the air a little bit earlier. It's significant, impacting a lot of houses."

He said they are assessing Box Elder and Cache Counties for flood damage, and initial estimates place it at more than $4 million.

That would be enough to call for federal emergency assistance, he said.

While the Utah National Guard is helping for now, they're also urging the community to continue step in.

"If you are okay, then go help your neighbors," Summers said, stopping to hold back tears.

He said he's seen so much of that already, and Lt. Gov. Cox agreed, saying it's been inspiring for him to see the outreach in this time of crisis.

'Difficult times:' National Guard, neighbors step in to help following Box Elder County flooding (Deseret News)

ELWOOD, Box Elder County — Following four days of extensive flooding in Box Elder County, Stan Summers couldn't hold back his emotions while describing the plight of one particular resident.

"There was an older gentleman that (approached us) and said, 'I don't have any money, can I get some sandbags?'" Summers, a Box Elder County commissioner, told reporters in Elwood through tears. "I don't know what you tell them besides, 'just get in here, load your sandbags up, where do you need them?'"

Warm weather, rainfall and massive snowmelt have resulted in flooding affecting up to 90 percent of communities in Box Elder County, officials estimate. The Utah National Guard was called to assist large-scale sand-bagging efforts Wednesday.

About 12 soldiers from Camp Williams responded to the Box Elder County Fairgrounds with an automatic sand-bagger, according to the National Guard.

"When it's operating at its peak efficiency, it's very helpful," National Guard Capt. Lance Curzon said. "We're able to fill up sandbags and put them on those pallets very quickly."

The response hasn't gone unnoticed by local officials.

"We appreciate everybody coming and doing these things for us," Summers said. "It's a little overwhelming to say the least in the last four days to watch everybody come together."

The widespread flooding of roads and homes means that opportunities for reaching out are plentiful, Summers said.

"I'd just say, if you're OK, you don't have to look very far to go help your neighbor," he said.

About 30,000 sandbags have been filled with 700 tons of sand and distributed to 25 locations throughout the county, Summers said. Thirteen heavy-duty pumps are in place to protect homes, businesses, fields and roadways, with six more on the way.

Salt Lake County also pitched in after an official made a call to the county mayor.

"They don't have time to go out and fill (sandbags) because they're out on the streets really protecting their community," Salt Lake County Mayor Ben McAdams said. "So I said, 'let me see what I can do we'll get some people together and get some sandbags up to you ASAP.'"

Volunteers filled between 3,000 to 4,000 sandbags Wednesday morning in Midvale; they were shipped to Tremonton in five large trucks early Wednesday evening.

"I know they'd do the same for us if we were in crisis. They'd help out," McAdams said.

The American Red Cross teamed up with state and local agencies at the Aldersgate United Methodist Church, 850 S. 200 East in Brigham City, to create a one-stop help center for flood victims.

For people like Corinne resident Rick Miller, whose family has a flooded basement and a ruined furnace, finding that help Wednesday was essential. He visited the church in hopes of finding help keeping his home warm.

"We've been living off of our wood-burning stove. ... I don't know if there's a way they can help us with our furnace — if there there's a way they can (help us find) fire wood that's dry," he said.

Summers said Box Elder County residents were mindful of the help coming in from throughout the state.

"We know that we have friends on every side," he said. "It's funny how events like this kind of erase borders between counties and states."

Curzon said he was grateful the National Guard got the call to assist.
"For us -- we have to see people in these difficult times, so we're more than happy to be up here and do everything we can. ... This is why we do it," Curzon said. "This is why all of us volunteered to serve in the military. You know, sometimes we've been called to go overseas, but it's nice to be here in the same communities that we live in."
Lt. Gov. Spencer Cox, who flew to Box Elder County to survey the damage Wednesday, praised those who had devoted "tens of thousands of man-hours" to protect homes and businesses.
"I (knew I was) going to see some terrible things and talk to some people who are having a really, really bad day," Cox said. "But I (knew I would) leave inspired because (of) ... stories about communities coming together, neighbors coming together, people coming together, churches coming together and helping each other out."
Brigham City resident Kerri Petersen drove to Tremonton with her sons to assist flood victims, most of whom she didn't know.
"(It) feels good," Peterson said. "Glad to get my boys helping, too."
Petersen can empathize with the stress of having her home threatened. The crawlspace of her own home flooded last week, she said.
Summers said there has been intermittent flooding in Box Elder County since January, mostly in its western portion.
"It really became a problem when the snowpack started to melt," he said.
Some roadways and canals have been breached in recent days, Summers said, making the situation all the more dire.
Mark Millett, emergency manager for Box Elder County, said the large snowpack, combined with warm, wet storms, is responsible for the flooding.
"As it's melted, the snow has just continued to concentrate the moisture (in place) and in many cases, not really run off too much," he said.
Most Box Elder County and other northern Utah residents can expect falling temperatures and snowfall for a large portion of Thursday, according to a forecast from KSL-TV meteorologist Kevin Eubank.
Temperatures are expected to cool significantly, dropping into the high 20s or low 30s through Saturday.
That forecast is good news to Box Elder officials.
"If we can move into just kind of a cooler warming period to allow us to come off in that more incremental measure, we're fine," Millett said.

Utah congressman demands FEMA's Louisiana flood records, says man died in overheated trailer (The Advocate)

BATON ROUGE – A Utah congressman is demanding the Federal Emergency Management Agency turn over documents on mobile housing units related to the August flood after an elderly man was found dead in an overheated trailer.
"When local authorities inspected the MHU, they discovered temperatures over 137.0 degrees Fahrenheit with the air conditioning and heating control unit reading 50 degrees Fahrenheit," states the letter by Jason Chaffetz (R-Utah), chairman of the House Committee on Oversight and Government Reform.
The letter does not provide specific identifying information on the deceased man or where he was found. FEMA has told committee members that there have been no deaths due to faulty MHUs, Chaffetz's office wrote.

The congressman also raised concerns about the length of time it took to deliver mobile homes to flood survivors and the efficacy of the Shelter at Home program.

WYOMING:

Flooding in Big Horn County (Powell Tribune)

Fifteen minutes. That's all the time Ernie and Teresa Marsh had Tuesday to get themselves and their vehicles out of the path of a flood that no one expected to ever happen near their Big Horn County home.

"It might be one of those 100-year deals," Ernie Marsh said Wednesday. "No one remembers a flood like this right here," off Spence Oil Road between Greybull and Lovell. "Even the county sheriff doesn't remember (a flood) here."

Ice jams in the Big Horn River have caused repeated flooding before in other areas — Worland, Manderson and Greybull, for example. But the Marshes' property sits near a straight section of the river.

"It's kind of odd that (ice) would pile up here," Marsh said.

But pile up it did, and once that happened, the Marshes went into action to get into their vehicles and move them to higher ground, out of the way of the fast-approaching floodwater.

Unfortunately, there wasn't time to salvage much from their mobile home or from the shop where Ernie Marsh does silversmithing.

Later, they moved their horses to higher ground.

"The horses weren't wanting to leave on their own yesterday, so we had to wade out there to move them," Marsh said.

Larry and Dianne Ostermiller of Powell own a cabin on neighboring property.

Larry Ostermiller got a call from the local rural electric association Tuesday telling him that workers were going to shut off power to the cabin, because it had flooded.

"We were just flabbergasted," Dianne Ostermiller said. "We felt like there was no danger."

A 4-foot dike ran around their property, and the Federal Emergency Management Agency didn't have the property listed on a flood plain, Larry Ostermiller said.

When the ice jammed, "the dike held everything out except for in one spot, where a bunch of mice had holes burrowed in the dike," he said. "Cats were digging them out over time, and the water found a weak spot and washed it right out."

Larry Ostermiller got a call Tuesday evening from Marsh, who asked if he knew anyone who had a boat he could use to get things out of his mobile home, as he wasn't sure it would still be standing Wednesday morning.

Ostermiller borrowed a flat-bottomed rowboat from a friend and drove it down to the Marshes' property. They used the boat to make several trips, shuttling valuables and irreplaceable family belongings from the home — family photos, marriage certificates, etc. — to higher ground.

Marsh resumed those efforts the next morning, when he saw the mobile home was still standing.

"The house is still there, and my shop building where I work on stuff," he said.

The rowboat came in "real handy," Marsh said, adding with some astonishment, "I'm not often wading in a rowboat in the middle of a desert."

He said the floodwater contains a lot of unidentifiable debris of different colors, probably from previous flooding upriver.

"There's a lot of people in Worland that had this happen earlier," he said.

Another neighbor couple is spending the winter in Arizona, so Marsh said he checked out their property and gave them a report. That house stands a little higher, so it's barely out of the water, but other buildings on the property were flooded. Ostermiller said the couple had a brand new Jeep Cherokee parked in one of their shops.

Now, it's pretty much a waiting game.

"We're not sure if this is going to go up or down," Marsh said early Wednesday afternoon. "It seems like it's fluctuated a little bit; the water was down about 6 inches, but now it looks like it's kind of on the rise again."

"All I can do is just wait and see what happens and clean up the mess later," he said. "This is my first flood, so I'm kind of a newbie."

Neither the Ostermillers nor the Marshes had flood insurance. Until Tuesday, it didn't seem necessary.

"Ours is not a great situation," Dianne Ostermiller said. "We're going to lose a lot financially."

The Marshes, meanwhile, have lost their home and their business.

Still, Marsh said it could have been much worse.

"We've got all our horses, our family's good, the dogs and cats are OK, so we're feeling pretty blessed about that," he said.

Marsh said he and his wife are staying with their son in Byron.

"We're feeling pretty lucky," he said. "It happened in the daylight when we could see it coming and we were able to get out of the way."

Authorities watch river

Four different ice jams caused trouble along the Big Horn River on Tuesday, with reports of some properties flooding in Manderson, Basin and the rural areas between Greybull and Lovell.

"The ice jams are moving along the river in Big Horn County, causing old ice jams to break and move and forming new ice jams as it goes," Big Horn County Emergency Management Coordinator LaRae Dobbs said in a Tuesday Facebook post.

Dobbs said the ice jam between Greybull and Lovell was particularly large.

"Our pre-flood efforts are in place, and the river is being monitored on a continuum. This is the hard part, where we watch and wait," she wrote, adding, "If you live along the Big Horn/Greybull river, please take precautions. Move your animals away from the river, and make preparations for your family to evacuate if you are flooded."

Runoff water reached high levels over the weekend in Manderson at the confluence of the Nowood and Big Horn rivers. Ice from the Nowood River jammed just above Manderson, before it flows into the Big Horn.

"The jam pushed out Monday, and water levels are dropping," Pete Hallsten, district engineer for the Wyoming Department of Transportation, said Wednesday. "The town never got wet, but the water came up into the U.S. 16/20 highway right-of-way. The water was still 2 to 3 feet below the roadway."

The ice jam, which flooded parts of the Worland area last week, remained a couple miles above Manderson on Tuesday.

WYDOT said its maintenance crews continue to provide support in flood mitigation efforts near Worland, Manderson and Greybull.

Those efforts include transporting and placing concrete barriers, providing sand for sandbagging operations, transporting and placing filled sandbags, closing roads when necessary for safety, inspecting bridges and advising officials on flood control efforts.

If the jam hadn't reached Manderson Wednesday or Thursday, "it may be a while, as the weather is forecast to cool down through the rest of the week," Hallsten said. "A good snowstorm is being forecast, with dropping temperatures."
Big Horn River flows through Worland, Manderson and Greybull were high but within the river channel Wednesday.
"Frost is leaving the ground, so runoff water is being absorbed into the ground," Hallsten said. "So even as the melting picks up, the runoff is subsiding. Most of the low-lying snow is melted throughout the Big Horn Basin."
He said WYDOT's main concern remains how the ice might impact area towns and river crossings associated with bridges.
"From what it currently looks like, we are in a waiting game to see what happens," said WYDOT District Maintenance Engineer Lyle Lamb of Basin. "We will continue to support communities along the Big Horn River."
Wyoming National Guard troops were demobilized from the area on Saturday.

USDA proposes future flood relief program (Northern Wyoming Daily News)

WORLAND – The Washakie County Commission heard from a representative from the United States Department of Agriculture on Tuesday, introducing the opportunity to sponsor a flood relief program that could benefit county projects in the future.
Introduced by county Emergency Watershed Manager Laura Galloway of Ten Sleep, primary soil scientist James Bauchert with the USDA explained to commissioners the parameters of the Emergency Watershed Flood Funding program, and the role it could have in the local area.
While the program would not benefit the most recent flooding in Worland, it could help identify potential risk to wildlife and physical structures including private property and bridges.
While the USDA program would work mainly with primary sponsor, the Washakie County Conservation District, the agency would need the commission to co-sponsor, to fulfill a requirement demanding that at least one sponsor have authority of eminent domain and taxation.
"Anytime the phrase 'eminent domain' is used, I get a bit nervous," noted Commissioner Fred Frandson. "I don't like those two words."
Bauchert assured the commission that all authority to invoke eminent domain in the case of an emergency situation remained the power of the commission, and that the USDA had no jurisdiction other than requiring a sponsoring body have the authority.
The commission agreed to review the program with the county attorney, and come to a resolution before the next commission meeting in March.
In other business, Public Health Nursing Manager Amanda Heinemeyer requested a budget hearing, to attain an additional $10,000 for the county vaccination program. The council agreed to review the matter and schedule it for the next regular meeting in March.

"Fight The Blight" Task Force Considers Ways To Tackle Properties (Wyoming Tribune Eagle, Cheyenne)

By James Chilton
Wyoming Tribune Eagle, February 22, 2017
CHEYENNE – Mayor Marian Orr's all-volunteer "Fight the Blight" advisory task force began to discuss the work ahead of it Tuesday, including working out a definition of the blight it's aiming to eliminate.

Task force members discussed the need to properly define the concept of blight to understand what sorts of ordinances it may ultimately recommend to the City Council down the road. To begin, Orr shared her own ideas for what she'd like to see the task force combat.

"My vision is to look more at things that are dangerous. If someone decides to decorate their house with yard gnomes, that's up to them," Orr said. "I think it's attractive nuisances – buildings and properties left vacant ... walking the dog in my neighborhood this weekend, there are abandoned homes being broken into, and it's problematic."

As an example, Orr pointed to a house on Bent Avenue that was only recently declared to be unfit for human habitation by the city's building safety department. Such properties, she said, if left unsecured, could attract both children unaware of the danger and vagrants or criminals.

"That homeowner has 30 days to respond (to the building department's concerns), but where do we go from there?" Orr asked. "It's an out-of-town owner."

Task force chairwoman Julie Gliem tasked member and local attorney Larry Wolfe with researching other municipalities' definitions of residential and commercial blight, with the aim of returning to the task force's March 7 meeting with some workable language members might adopt going forward.

Fellow task force members Dominic Valdez and Steve Borin noted they'd already done some looking into the definitions of blight and found they vary widely depending on the community. Valdez said about the only common theme he saw was that urban blight often went hand in hand with the term "nuisance," though Orr noted even that term can be subject to different interpretations.

"There are at least two different levels (of nuisances), if not three: you have tall weeds and an elderly person who just can't keep up with the yard, or an empty house with an out-of-town owner where the weeds are tall," Orr said. "But there are also homes that have been uninhabited for years that are literally rotting away, and people know the place is not inhabited."

City code enforcement officer Emmett Lusher said the city already has all the legal tools needed to address the first kind of nuisance; it's the latter he said the task force would need to work on. As he explained, he handed out photos, including one of a house on Gopp Court in south Cheyenne where the roof has caved in.

"Is this inhabited?" Valdez asked.

"Not officially, but according to the neighbors, there are people there coming and going," Lusher replied. "There may be some mechanism where, once we have a way to deal with that situation, there may be a way to pay for it or take possession at some point in the process. Then we'd be able to raze it, or in some cases restore the property."

Orr noted that the city is currently working on resuming a program that would tap into a $1 million Federal Emergency Management Agency grant that would provide low-interest loans to some city residents to help remediate their property. She said such a tool may be one way to help encourage owners of distressed properties to clean them up.

Task force members also discussed reviving a program to provide roll-off dumpsters to some neighborhoods that may provide further incentive to clean up messy yards.

Attention then turned to some specific residential and commercial properties task force members want to see addressed, and what sorts of hurdles currently stand in the city's way. Task force member Corey Loghry produced a two-page list of properties in town that, according to the Board of Public Utilities, had their water and sanitation shut off some time ago – in one case, a house last had water service in 2005.

Gliem suggested Lusher could learn more about whether those properties are occupied, while the task force concentrates on what condition they're in and how they might best be addressed.

"Is it a property that simply has tall grass and needs to be cleaned up, or is this a property where we're looking at total demolition? Can we rehab it? Are the foundation and roof still good?" Gliem

said. “We need to classify properties based on that criteria. If we have a lot of cleanup properties, that might be something we can do quickly and easily.”

As far as drafting ordinances to give the city more leeway to address blighted properties on its own, Orr suggested the task force consider the worst properties first.

“I think we need to start with those properties that are absolutely abandoned, with the second priority being renter-occupied properties where we have landlords that have created really poor living conditions and are taking advantage of their renters,” Orr said. “We need to prioritize and knock off some wins as far as taking care of the abandoned structures we know exist within our community.”

Wolfe and Borin both suggested the need for the task force to correspond with the city’s chief building official and the city attorney once an acceptable blight definition is in place. As they begin to apply that definition to individual properties, those city staffers can begin to assist with crafting specific city ordinances to address ongoing problems.

FEMA-RELATED STORIES:

Americans Once Moved Away From Forests. Now Forests Are Moving Away From Americans. (Washington Post)

By Darryl Fears

Washington Post, February 22, 2017

Over several decades in the past century, city populations swelled as Americans moved away from rural forests. Now the forests are moving farther away from Americans.

A new study of satellite images taken over 10 years starting in 1990 shows the rural forest canopy disappearing. Forest space disappeared from the United States in such big chunks that the average distance from any point in the nation to a forest increased by 14 percent, about a third of a mile.

While that’s no big deal to a human driving a car with a pine-scented tree dangling from the rearview mirror, it is to a bird hoping to rest or find food on epic seasonal flights across the globe, according to the study published Wednesday in the journal PLOS One.

But forests aren’t just for the birds. They improve the quality of life for fauna and flora, from bears to flowers. Altering forests can change the dynamics of ecosystems and can potentially “affect water chemistry, soil erosion, carbon sequestration patterns, local climate, biodiversity distribution and human quality of life,” a statement announcing the report said.

Using forest maps over the continental United States, researchers Sheng Yang and Giorgos Mountrakis of the State University of New York at Syracuse marked tree canopy that disappeared over a decade in red to highlight the change. In one illustration included in the study, the page appeared to bleed.

“So if you are in the western U.S. or you are in a rural area or you are in land owned by a public entity, it could be federal, state or local, your distance to the forest is increasing much faster than the other areas,” Mountrakis said. “The forests are getting further away from you.”

One of the findings of the study is a twist that Yang, a graduate student, and Mountrakis, an assistant professor at the College of Environmental Science and Forestry, didn’t anticipate. The disappearance isn’t happening in cities, where people often complain about the uprooting of trees for development. It’s happening in rural America, where trees are falling and hardly anyone hears.

That finding turns conventional wisdom about forest loss on its head, Mountrakis said. “The public perceives the urbanized and private lands as more vulnerable, but that’s not what our study showed,” he said. “Rural areas are at a higher risk of losing these forested patches.”

"Typically we concentrate more on urban forest," said Sheng, "but we may need to start paying more attention — let's say for biodiversity reasons — in rural rather than urban areas. Because the urban forests tend to receive much more attention, they are better protected."

While people in the sticks are losing their forests, the relationship between urban dwellers and trees is a love story. Dating back to when President Thomas Jefferson denounced the removal of trees that cooled the new capital city as "a crime little short of murder," Jill Jonnes wrote in her book, "Urban Forests," city slickers have fought to defend the little green space they get.

Rock Creek Park in the District of Columbia, Central Park in New York, Piedmont Park in Atlanta, Griffith Park in Los Angeles, and Golden Gate Park in San Francisco are examples of urban forests that are fussed over, pampered and protected by law. They are also cherished gathering places that help define their cities.

The remote areas that Americans have come to know as wild lands are being whittled away by farms, development and wildfire, particularly in the West, Mountrakis said. Arizona, Colorado and Nevada saw significant attrition or separation of forests, according to the satellite images.

In California and Colorado, trees stressed by drought are being eaten to death by beetles, standing dead on mountainsides by the hundreds of millions, virtual ghost forests. Ecologists argue whether fires that might consume them are a good or bad thing, in that it would kill the beetles yet threaten homes too close to the forest edge. Human development is another grim agent of tree canopy loss.

The researchers said they hope public land managers, such as the U.S. Forest Service and Bureau of Land Management, along with officials at the state level, will pay attention to their research. They hope to follow up the study with research into the drivers behind the loss of forests.

But the pictures don't lie, he said. There's no doubt that huge clumps of trees are disappearing.

"You can think of the forests as little islands that the birds are hopping from one to the next," Mountrakis said. The loss of forests has side effects. It alters the local climate, decreases biodiversity and leads to soil erosion. "This is the major driver — we can link the loss of the isolated patches to all these environmental degradations," he said.

The study tracked the loss of forest by calculating the distance to the nearest forest from all points on an area map, Mountrakis said. They noticed that some chunks of tree space disappeared within a forest, but that has less of an environmental impact as forests that wither on the edge, slowly transforming them into islands.

Climate Change Tied To Nation's Infrastructure Needs (The Hill)

By Rep. Raúl M. Grijalva

The Hill, February 22, 2017

In what's become a troublingly common occurrence, the combination of extreme weather and crumbling infrastructure threatened the residents of another American community in California not long ago. Extensive rainfall in Northern California damaged the spillway of the Oroville Dam – the nation's tallest – and threatened numerous communities below the dam with massive flooding.

As The Atlantic reported on Feb. 13, "drought, climate change, and aging infrastructure combined to create a looming catastrophe." Nearly 200,000 residents were forced to flee their homes. Families scrambled to find shelter, gas stations were gridlocked, and stores ran low on supplies. Residents, given mere minutes to evacuate, worried whether their homes would be standing by week's end.

It now appears this crisis was averted, but these kinds of weather extremes and their impacts on our aging infrastructure are becoming more and more common, and the causes are not mysterious. Scientists are documenting a rise in extreme weather events across the United States in response to a warming climate, and Congress has failed to make needed investments in our infrastructure for decades.

What we saw in Oroville should push Congress to understand not just why our infrastructure – the humble roads, dams and bridges we keep hearing about – needs a massive upgrade, but why the risks to that infrastructure are getting worse. Building taller dams or replacing washed-out roads without acknowledging why they keep failing is a recipe for very expensive disasters.

In 1980, when the federal government began collecting data on the number of billion-dollar climate disasters every year, there were only three with losses exceeding $1 billion. In 2016, there were 15 climate disaster events with losses exceeding $1 billion across the United States.

Climate change does not just mean more days with record high temperatures. It means all kinds of extreme weather events will become more frequent and more severe as the planet continues to warm. Floods will become more devastating. Wildfires will burn hotter. Droughts will last longer and affect new areas.

Those fleeing the possible flooding in California were by no means the first climate refugees. Over the past 10 years, the Isle de Jean Charles community in Louisiana has lost two-thirds of its residents to dislocation because of rising sea levels. On Washington's Olympic Peninsula, the Quinault Indian Nation must rely on a 2,000-foot-long sea wall for protection until it can complete its move uphill. In Alaska, climate change flooding and shoreline erosion already affect more than 180 villages, 31 of which are in "imminent" danger of becoming uninhabitable.

If we continue with business as usual, roughly 13 million Americans could become climate refugees by the end of the century. Avoiding this future for our kids and grandkids will require the United States to take decisive action now. Unfortunately, standing in the way is a fact-averse President Trump who calls climate change a Chinese hoax and a Republican Party addicted to campaign contributions from the oil and gas industry.

Just this month, Republicans on the House Natural Resources Committee voted against even acknowledging that human activity is a major contributor to climate change. As long as Republicans in Washington decide they would rather do the bidding of the same old corporate interests and big oil lobbyists than work with Democrats to reduce carbon pollution, climate change will continue to get worse.

More than 70 percent of Americans acknowledge that global warming is happening and more than 90 percent of published climate scientists believe human activity is the primary cause. Scientists tell us that carbon pollution is causing the climate to change 170 times faster than natural forces. Yet President Trump and Republicans in Congress continue to ignore the problem and push an extreme agenda that tips the scales on behalf of the fossil fuel industry and special interests.

It's long past time to get past phony debates about the existence of climate change and get to work on serious climate solutions. This will mean establishing pollution limits and moving away from dirty energy sources that pollute our climate, air, and water.

And if the Trump administration is serious about a bipartisan infrastructure package, they and Congressional leaders must be willing to invest real money and admit that our changing climate is one of the most serious challenges we face. The longer we wait, the more we can get used to seeing the sights we witnessed in California.

Grijalva is ranking member of House Natural Resources Committee and represents Arizona's 3rd District.

The views expressed by this author are their own and are not the views of The Hill.

Region VIII Clips
Thursday, Feb 23, 2017

ANALYSIS

- *Colorado*: A lengthy letter to the editor argues against a new hydrology study in Estes Park… A business development group in Sterling says it has new SBA "grants" to help businesses affected by the 2013 floods. … Dry, warm weather has led to fire bans across the Denver metro area.
- *Montana*: No FEMA-related stories
- *North Dakota*: Two stories report on the mostly voluntary evacuation at the camp of protestors against an oil pipeline being built… AP reports on a meeting today with Senators Hoeven and Heitkamp at Drayton with various officials to discuss flood preparedness … A press releases announces a public meeting, also accessible via video and telephone, on emergency preparedness.
- *South Dakota*: The Pretty Flower Fire has been contained and evacuation orders lifted.
- *Utah*: Three stories report on the extensive flooding in Box Elder County, including a prediction by Lieutenant Governor Spencer Cox that the state would request federal help and that the damage there and in Cache County would meet "thresholds" for that help. (Box Elder County is north and west of Great Salt Lake; Cache County is east of there and of I-15, around Logan)…. Congressman Jason Chaffetz of Utah is demanding records from FEMA on the mobile housing units in Louisiana after an elderly man was found dead in an overheated unit there.
- *Wyoming*: The *Powell Tribune* reports on the flooding along the Big Horn and Greybull rivers… The USDA proposes a program to help identify areas that might be at risk from flooding… A Cheyenne task force to fight blight is considering a FEMA grant that provides money for remediation.
- *Other FEMA-related stories*: The *Washington Post* reports on a loss of forest canopy in the U.S., particularly in rural areas and in the West… An Arizona congressman writes in an opinion piece that climate change and aging infrastructure combine to cause increasing problems, including "climate refugees" within the U.S.

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New Small Business Administration grants offered to help businesses impacted by flood (Sterling Journal Advocate)

More Communities Put Fire Bans in Place on Colorado's Front Range (CBS Ch. 4, Denver)

MONTANA:

No FEMA-related stories

NORTH DAKOTA

Two minors injured at DAPL protest after ordered evacuation (WDAZ TV)

North Dakota Arrests 10 as Pipeline Protest Camp Empties (NY Times)

Hoeven, Heitkamp to discuss flood prep in NE North Dakota (AP)

Public Hearing on Emergency Preparedness Activities (North Dakota Ag Connection)

SOUTH DAKOTA:

Wildfire Contained, Evacuation Orders Lifted In Western SD (AP)

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Utah to ask for help from feds over northern Utah flooding (KUTV)

Utah National Guard deployed as 90% of Box Elder County communities affected by flooding (Fox 13)

'Difficult times:' National Guard, neighbors step in to help following Box Elder County flooding (Deseret News)

Utah congressman demands FEMA's Louisiana flood records, says man died in overheated trailer (Baton Rouge Advocate)

WYOMING:

Flooding in Big Horn County (Powell Tribune)

USDA proposes future flood relief program (Northern Wyoming Daily News)

"Fight The Blight" Task Force Considers Ways To Tackle Properties (Wyoming Tribune Eagle, Cheyenne)

FEMA-RELATED STORIES

You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

Americans Once Moved Away From Forests. Now Forests Are Moving Away From Americans. (Washington Post)

Climate Change Tied To Nation's Infrastructure Needs (The Hill)

STORIES

COLORADO:

Letter To Town Board And Citizens Of Estes Park Re: New Hydrology Study

(Estes Park News)

- Feb 22, 2017

HISTORY:

In the 1970's when the federal government started getting increased demands for disaster relief it was decided that some sort of regulation was needed to try to prevent losses and that some sort of mandatory federal insurance was needed offset the losses. FEMA was formed. Although FEMA provides recovery funds for all sorts of disasters flooding was the most common and the most predictable. It is the easiest to keep people away from (it's hard to tell people they can't build in "Tornado Alley" when you can't define it). It was decided that the reasonable level to regulate to would be the 100 year flood. That is the level of water that has a 1% chance of happening in any given year. It is only a statistical number. It could happen or be exceeded in any given year or several times in 100 years or not happen in 500 years. Laws and regulations and insurance rates were passed. Rules were established to determine what amount of water would be the statistical 100 year event on any given waterway using historic measured data or by estimating data by hydrologic studies. The rules state that where measured flow data exists for more than 10 years that it should be the basis. This makes sense since the result is a statistic and measured data is always more accurate than estimated data. We are fortunate in that the stream gage at the Visitor Center has a daily record for 69 years. Fall River has 29 years of intermittent records dating back to 1945.

Hydrology is the study of water runoff. Contrary to the opening statement of the new study, it is not a new science. It has been around for many decades and has been the basis for design for everything from street culverts to the world's largest dams with millions of lives at risk. Its fundamentals are universal. To say that the hydrology of the 1977 study or

subsequent studies is no longer relevant is wrong. There is no evidence of them being in error or inadequate. There is another 40 years of records which further substantiates prior records. All of the previous studies and reports have led up to the most recent study and regulation which was approved by FEMA, the State of Colorado and the Town in March of 2013. This study does not differ significantly from anything done in prior 40 years. One has to ask how one event that statistically could happen in any given year could cause results that are multiples higher in the new study than anything before. The answer is that it shouldn't. What did happen is the State of Colorado got much criticism after the 2013 flood for not being better prepared or getting warnings out sooner. The result was to pass legislation providing grants for local governments to redo their regulations to provide "more protection" i. e. make larger regulated flood plains. This results in more insurance revenue for FEMA with reduced risk. It also makes properties that were not previously in a flood plain almost totally restricted, virtually prohibiting replacement and redevelopment and establishes mandatory insurance that costs thousands of dollars. The whole goal of a flood regulation is to get buildings out of the floodway. This will have a devastating effect on the westerly portion of the central business district and to the town economy. It also is a major injustice to those owners who have built or purchased improvements that at the time were legally outside the floodway. Now, because of a major change in interpretation, their property is reduced to a fraction of its value. Not only will these properties not be able to expand to compete, if they are damaged by any cause to 50% of their value they will not be able to be replaced leaving ground that is virtually worthless. Beyond that they immediately will be hit with mandatory flood insurance that costs much more than normal hazard insurance and only covers floods (that in the expanded areas have only occurred once, in 2013, in recorded history). This added cost will have to be passed on with higher prices on goods sold leaving the whole area at a competitive disadvantage. I cannot imagine a merchant renewing a lease under these conditions.

THE NEW HYDROLOGY STUDY:

The proposed hydrology study when first submitted after extensive peer review by "esteemed" professionals had a 2013 flow in Fall River of 3800 cfs which was used in developing flow models and resulted in a 100 year flow of 3580 cfs. This was based on a single flow estimate using a new method called the "critical depth method" instead of the traditional "Manning's Equation" which is a more involved method. It was pointed out in a prior review that even when properly applied the "critical depth method" will always yield high results due to disregard for debris, sediment, turbulence and not having a level water surface. It may be faster and easier but it is not accurate. After it was shown to the consultants that 3800 cfs could not of occurred, they had the person who developed the "critical depth method" go back and check the Fall River Lane Bridge that did not over top.

He then came up with the number of 2000 cfs which is the maximum that can be put through the bridge, filling it all the way to the bottom chord. This could not happen without creating a back water and did not happen as verified by eye witnesses. The request to adjust this number was denied and it is reflected in the final version of the study. Even this amount of correction brought the 100 year event down to 1860 cfs. Which is a reduction of almost ½ from what would have been adopted had the study not been objected to. This one correction over time amounts to millions of dollars that would have been lost by local citizens.

The Army Corps of Engineers has developed a computer program called HEC – SSP for calculating statistical flow quantity frequencies from stream data that is the required method to be used for flood studies. FEMA has published guidelines for how data is to be treated. Bulletin 17B specifically describes the method by which events that are so far different from the regular range of events are determined to be "outliers". These outliers are treated in a historical context rather than a systematic event. This has the effect of buffering and significantly lowers the 100 year event. The length of the historical context is dependent on how long a period has expired since a similar event. The longer the period the more the buffering. There is no doubt that the 2013 event on Fall River is an outlier as the calculation was preformed both by the consultant (Appendix B, p. 99/333) and by Van Horn Engineering in its review (Appendix H, p. 266/333). In its response to the VHE review (p. 266/333) the consultant refuses to consider 2013 a historic event even though it is an outlier stating there is no prior historic evidence (p. 266/333). This is categorically untrue as the flow of Fall River is included with the Big Thompson and Black Canyon at the Visitor Center gauge which has 69 years of record and is a short distance downstream. The combined flow of all three has never approached the Fall River outlier providing historic proof positive. The instructions specifically say for the preparer to investigate all available history and adjacent data. Modern occupation and written accounts date back to the 1870's and no similar event has ever been recorded nor is there any physical evidence which would still be evident had it occurred. If the 100 year event were correctly calculated (VHE review p. 263 – 271/333) it would come much closer to previously approved studies.

CONCLUSIONS:

The effects of adopting the study as presented are uncalculatable. By increasing the 100 year event by multiples many properties that have not been in the flood plain since its inception 40 years ago will now be severely restricted and heavily taxed by flood insurance. The values of these properties will be a fraction of what they are now. This represents a taking for a public purpose without compensation (like condemning land for a road) and the Town needs to be very careful and sure before they take such an action. It is hard to imagine a very high confidence level in a study which has already been shown to have very large errors in

its estimates. In most instances of the government changing regulations there is a provision of "grandfathering" those people who legally relied on previous rules. This is not the case here and the total loss will be borne by the impacted individuals who have to depend on their elected officials to protect their interests.

There are two things the Town Board can do. One is to send the study back to the consultants and tell them to not to use impossible estimates for Fall River and to follow the rules and treat the 2013 flood as the historic event that it was. The other is to not adopt the study at all and use the perfectly valid and approved 2013 study which is the legal regulation now. The flood maps are going to have to be redrawn no matter which hydrology is used because of channel changes. This will establish the new flood regulation.

Bill Van Horn, PE 9485

New Small Business Administration grants offered to help businesses impacted by flood (Sterling Journal Advocate)

Jones gives yearly report on Small Business Development Center activities

By Callie Jones

Journal-Advocate news editor

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Eastern Colorado Small Business Development Center is again seeking to help businesses impacted by the 2013 South Platte River flood. Laurie Jones, SBDC's Logan County business consultant, spoke to the commissioners Tuesday about the second round of a flood/disaster recovery grant program.

After the flood first hit, Jones had over 100 businesses contact her and at that time the Small Business Administration (SBA) came to Sterling and established an office with FEMA (Federal Emergency Management Agency), to help business owners and residents impacted by the flood apply for an SBA loan. Eligible applicants could get up to $50,000.

"The challenge we had is the requirement is they had to go through the SBA loan process in order to qualify. That was a very lengthy and it was a very frustrating process, and it was a direct to the SBA, as opposed to going through a bank," Jones said.

Because of that, in Logan and many other counties, there weren't many people that received funds. Though Jones did say she had some clients get a $50,000 grant and more often they received $5,000-$10,000 grants.

The state has now changed the program and Jones is able to go back and reach out to those 100 clients, "and of those I think I've got a pretty good shot, if they're willing to go through the process, of getting them some grant funding," she said.

She noted this time the application is much simpler, but applicants must prove that due to the flood they lost at least $5,000 in revenues and it can't just be during the days the city was shut down during the flood. They have to show financially that into 2014 they had less revenue than, say, in 2013, 2012, etc.

"So, we have a process, it's much more streamlined and I believe based on the people I've already met with I can get a lot of money out into the hands of them," Jones said.

She pointed out that child care providers were a real challenge in the first round of grants and she's still not sure they'll be able to meet that $5,000 loss, "but I'm going to go back out and try to reach through that group again," Jones said.

There is an emphasis to try to get this outreach done over the next couple months, because as things change there is no guarantee SBA will continue to have that grant funding available.

Jones noted the new program also includes fires, so she is trained in if there is any kind of major disaster here, "we now have a process that we can step into to help our business community with some funds," she said.

Additionally, Jones gave a yearly report on SBDC. Over the last five years, she's met with about 210 business owners in Logan County and there are around 600 to 650 businesses total....

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More Communities Put Fire Bans in Place on Colorado's Front Range (CBS Ch. 4, Denver)

February 22, 2017 12:03 PM

Filed Under: Fire Bans, Wildfires

DENVER (CBS4) – For a stretch of 37 days there has been no measurable precipitation across the Denver metro area.

With that dry weather and persistent unseasonably warm weather fire danger has shot up, and several county and city managers have enacted fire restrictions in the past few days.

The following is a list of all the areas with fire restrictions:

– Jefferson County (unincorporated areas), plus Lakewood and Golden – Stage 1 fire restrictions (see below)

– Arapahoe County – ban on all open fires and open burning

– Adams County (unincorporated areas) – Level 2 Burn Restriction

– Douglas County, plus Castle Rock

– Boulder County, plus Lafayette

– Teller County

– Elbert County

– Lincoln County

– Las Animas County

Check the website coemergency.com for the latest updates on fire bans in Colorado.

Officials in Golden described the Stage 1 restrictions as follows:

All open burning, including bonfires; open flame torches and welding in wildfire risk areas and model rockets are prohibited. Also banned is the use of recreational fires within 30 feet of undeveloped areas including green belts and open space lands. Smoking within six feet of any outdoor area not cleared of combustible vegetation is also prohibited.

Exceptions to these temporary restrictions include: supervised public fireworks displays by a state licensed operator (subject to specific GFD operational permit requirements); outdoor cooking fires contained within commercial gas fueled grills, enclosed wood or wood pellet grills or smokers; enclosed outdoor fireplaces or chimineas; powered yard equipment for landscape purposes; any federal, state or local law enforcement officer or member of an organized rescue or firefighting force in the performance of an official duty.

Wildfire Resources

– Visit CBSDenver.com's Living With Wildfire section.

MONTANA:

No FEMA-related stories

NORTH DAKOTA:

Two minors injured at DAPL protest after ordered evacuation (WDAZ8)

CANNON BALL, N.D. — A few dozen protesters remain camped out Wednesday night, despite the day's 2 p.m. evacuation deadline.

After taking a break Wednesday, come 9 a.m. Thursday, crews are moving in, saying the region is on the brink of an environmental disaster.

The 2 p.m. deadline has passed and up to 50 protesters remain. The state is giving them until 9 a.m. Thursday to get out.

"They will have every opportunity to leave the camp tomorrow without arrest," Gov. Doug Burgum said at a press conference Wednesday evening at the Morton County Courthouse..

Ten protesters did turn themselves in Wednesday outside the camp.

"You had to try and be arrested today," said Burgum.

For the most part, the arrests took place without incident.

"We are following up on a hip injury involving someone who was arrested," said Morton County Sheriff Kyle Kirchmeier.

Prior to the evacuation, there was one last march against the Dakota Access Pipeline.

More than a hundred protesters left Cannon Ball to avoid arrest.

The governor says about 70 people have taken advantage of a state-funded program supplying them with hotel rooms and bus tickets.

While Burgum could not provide a cost to taxpayers at this time, he calls the program his decision.

"We are saving taxpayer dollars anytime we can buy a bus ticket and hotel room versus trying to put them through the legal system," Burgum said.

There was a near tragedy Wednesday as protesters intentionally set nearly two dozen buildings inside the camp on fire.

In one of the blazes, a 7-year-old boy was hurt along with a 17-year-old girl following either an explosion or flames that got out of control.

'There was a 17-year-old woman who was severely burned and she's been airlifted to Minneapolis," Burgum said.

After not being allowed in the camp Wednesday, contractors hired by the Army Corps of Engineers plan to return first thing in the morning.

It's a race against time and the cleanup could take more than three weeks due to the amount of debris left behind, the cost to taxpayers, likely over $1 million.

"To ensure none of this garbage, none of this waste, debris and structures and vehicles end up in the reservoir. That would be an environmental catastrophe," said Col. John Henderson of the Army Corps of Engineers.

Due to the amount of junk still left behind and not knowing what is buried beneath feet of mud, the contractors actually underwent hazmat training for their safety.

The company building the pipeline says they could have oil flowing as soon as March 6.

North Dakota Arrest 10 as Pipeline Protest Camp Empties (NY Times)

CANNON BALL, N.D. — The fires burned for hours on the flat, muddy landscape, their thick smoke rising through snowflakes that tumbled to the ground. Someone rode a snowmobile across the dirt, and others moved their belongings to the side of a rural highway. The police gathered, prepared to follow the governor’s order to clear people from this rural part of the state.

But the Wednesday afternoon deadline for protesters of the Dakota Access oil pipeline to empty their largest encampment passed with far more uncertainty than unrest. In the hours after the deadline, the authorities made 10 arrests but said they would not fully empty the camp on Wednesday night.

Roughly 25 to 50 demonstrators were believed to remain in the mandatory evacuation zone, said Gov. Doug Burgum, who said cleaning crews planned to enter the camp Thursday morning. “Anyone who obstructs our ability to do cleanup will be subject to arrest,” Mr. Burgum said.

The scene here, about an hour's drive south of Bismarck, the state capital, seemed to represent a muffled end to a specific and passionate protest that drew thousands of demonstrators and became central to the national debate about energy, the environment and the rights of Native Americans. Protesters argued that the nearly completed pipeline, now moving ahead with the support of President Trump's administration, could imperil the drinking water supply on the Standing Rock Sioux Reservation.

"We won," said Vanessa Red Bull, 54, who has spent months here. "We slowed that pipeline down months and months and months. We cost them who knows how much money. And we slowed them down."

She added, "This has been a multilayered event that has brought attention to glaring issues."

Ms. Red Bull and her allies won a brief victory last year, when the Army Corps of Engineers said in the waning days of the Obama administration that it would conduct an environmental impact study before allowing the 1,172-mile pipeline to cross Lake Oahe, the Missouri River reservoir near the encampment. But the beginning of the Trump administration brought a swift and substantial defeat: an instruction that the Army abort its study, a decision that allowed construction to resume.

Barring court intervention, oil from the Bakken fields in western North Dakota could flow through the pipeline this spring. But on Wednesday, the matter at hand was what to do with the encampment, which had become an abiding and, for some, spiritual symbol of activism. State officials cited fears of flooding for the governor's decision last week to order a mandatory evacuation of the site.

"It's time for protesters to either go home, or move to a legal site where they can peaceably continue their activities without risk of further harm to the environment," the North Dakota attorney general, Wayne Stenehjem, said in a statement. Officials said that trash at the protest camps would pose an ecological risk if it were washed downstream by flooding, and that urgent cleanup was necessary.

Both sides have accused the other of escalating tension and engaging in violence since the protest started last year as a decidedly local affair. The camps ultimately swelled to thousands in the summer and fall, with Native Americans and supporters from across the country gathering in spirited opposition and setting up a makeshift society in the camps, complete with cooking tents and supply areas.

But on Wednesday, months of tension mostly gave way to a somber calm as demonstrators left and a cold rain turned to snow. Some protesters set fire to semipermanent structures before the 2 p.m. deadline.

"It's an act of defiance," Nick Cowan, 25, said as he watched a fire burn on Wednesday after living here for more than two months. "It's saying: 'If you are going to make us leave our home, you cannot take our space. We'll burn it to the ground and let the earth take it back before you take it from us.'"

Two youths were injured at the camp Wednesday, apparently from the fires, officials said, including a teenage girl who was hospitalized with severe burns.

North Dakota officials offered meals, lodging, a medical exam and a bus ticket to anywhere in the 48 contiguous states for protesters who left by Wednesday afternoon but needed help getting home.

That approach was at odds with events of recent months, when the demonstrators sporadically clashed with the police, leading to the activation of the North Dakota National Guard and hundreds of arrests. The police sometimes used tear gas and rubber bullets. The North Dakota Guard said on Wednesday that it had spent more than $8 million responding to the protest since August.

Despite the lingering frustrations, tensions seemed to have eased in recent weeks as the ranks of demonstrators declined during the harsh winter. Dave Archambault II, the chairman of the Standing Rock Sioux Tribe, which has sued seeking to block the pipeline construction, urged protesters to go home.

On Wednesday, many of them did.

“I think people are saying goodbye,” said Ms. Red Bull, who spent about six months here. “I think that’s why people are setting things on fire: as a way of a last homage to what had become many people’s homes. A community was here.”"

Hoeven, Heitkamp to discuss flood prep in NE North Dakota (Associated Press)

DRAYTON, N.D.

North Dakota's two U.S. senators will be in Drayton on Thursday to discuss flood preparation in northeastern North Dakota this spring.

Sens. John Hoeven and Heidi Heitkamp will meet with federal, state and local officials in the afternoon. The meeting is aimed at making sure communities are prepared for possible flooding.

After the flood outlook meeting, Hoeven and Heitkamp will tour Drayton's earthen levee.

The recent flood outlook from the National Weather Service shows an increased risk for moderate to major flooding in the northern Red River Valley. The outlook also projects near-record runoff for the Devils Lake Basin.

Public Hearing on Emergency Preparedness Activities (ND Ag Connection web site)

The North Dakota Department of Health has scheduled a public meeting designed to educate the general public about emergency preparedness activities and provide an opportunity for public comment. The meeting will be held March 2 at 1 p.m. CST at 1720 Burlington Drive in Bismarck. Participants may also join via teleconference by dialing 1-855-361-4591. In addition, the public also can participate through video conference at participating local public health units throughout the state where video conference is available, or the meeting can be accessed online via live webcast.

"Extensive use of the public health and medical response systems have been successfully implemented in the last several years in response to civil disturbances, equipment malfunctions at medical facilities, medical facilities evacuations, fires, flooding, tornadoes and other weather emergencies," said Tim Wiedrich, section chief of the Emergency Preparedness and Response Section of the North Dakota Department of Health. "This meeting will give people a chance to learn about the work that has been done and give us feedback."

The meeting will start with a presentation highlighting the planning that has been done and will conclude with time for comments. To participate, contact your local public health unit or call the toll-free phone number. To access the webcast online, follow these instructions:

Step 1. Before the webcast, please check that your computer can play Windows Media streams. Mac users may download Windows MediaComponents for Quicktime from www.microsoft.com.

Step 2. Type the following link into your browser: http://www.ndhealth.gov/WebcastHigh.asx. The feed typically starts within 15 minutes before the scheduled time. The webcast is for viewing only. If you wish to ask a question, please call the teleconference line.

Please note that there is a delay between the webcast and teleconference feeds by several seconds. If you are watching the webcast and would like to call in with a question, please use your phone's audio instead of the computer to avoid confusion due to the sound delay.

SOUTH DAKOTA:

Wildfire Contained, Evacuation Orders Lifted In Western SD (AP)

Associated Press, February 22, 2017

HAYWARD, S.D. (AP) — A wildfire that threatened up to 30 homes in western South Dakota has been contained and evacuation orders have been lifted.

Incident Commander Ray Bubb declared the fire 100 percent contained Wednesday morning. Two engines and two crews were left in the area to finish mopping up the fire that started Tuesday and had spread to over 33 acres of mostly private land near Hayward.

Investigators say the fire, dubbed the Pretty Flower Fire, sparked from a burning slash pile and spread because of dry, warm and windy conditions Tuesday morning. By late Tuesday afternoon the fire crews had begun to leave the fire as it was 75 percent contained.

Officials say all remaining work on the fire has been handed over to the South Dakota Wildland Fire Suppression team.

UTAH:

Utah to ask for help from feds over northern Utah flooding (2 KUTV)

BOTHWELL, THATCHER, ELWOOD and NORTH GARLAND: the Box Elder County Emergency manager said those are among the areas with the most dramatic flooding -- which has now stretched for days.

The county reported Wednesday 30,000 bags have been filled with roughly 700 tons of sand for the most immediate response; and a dozen members of the Utah National Guard arrived in Tremonton, Utah, with a machine to automatically fill the bags at the Box Elder County Fairgrounds.

Lt. Governor Spencer Cox choppered above the flooding on Wednesday, said he was surprised by the amount of standing water on property north of Ogden, and said the state will make a plea to help from the federal government.

Cox thought damage "thresholds" have been met to trigger federal aid. What is unclear is whether that money, if approved, would go solely to cover repairs to public infrastructure, or whether private property owners could get some assistance.

Cox said he is most concerned with the high water now, precipitation which is coming, and property damage.

Box Elder County said it has 13 pumps operating now to divert floodwaters, with six more on the way. The county is also "monitoring three landslide locations."

It is also "dealing with floods in western Box Elder County due a Nevada dam break."

Wednesday night, the Red Cross was scheduled to hold an open house at the Aldersgate United Methodist Church in Brigham City for those affected by the flooding.

Utah National Guard deployed as 90% of Box Elder County communities affected by flooding (Fox 13)

BOX ELDER COUNTY, Utah - Dozens of community volunteers worked for hours Wednesday evening to fill hundreds of sandbags at the Box Elder County Fairgrounds.

They took over after the Utah National Guard spent all day filling bags in an effort to relieve massive flooding in the area.

"Twelve personnel right now, so it's a smaller contingent, but we do have a sand-bagging machine," explained Capt. Lance Curzon during a press conference Wednesday afternoon.

Box Elder County Commission Chair Stan Summers said they've gone through 30,000 sandbags and 700 tons of sand, all to combat the catastrophic flood.

"One of the worst floods that I've seen in my lifetime," he said.

He estimated 90 percent of the communities in the county have been affected. The flood filled basements with water, shut down businesses and closed waterlogged roads, he explained.

"Nowhere to go, all the ditches are full, all the canals are full," Summers said.

Lieutenant Governor Spencer Cox saw it for himself Wednesday afternoon, during a tour in a helicopter and on the ground. While the damage was apparent in a video he filmed from the sky, he reported good news.

"The water has receded significantly, and that has to do with the temperature more than anything," Cox said.

Summers also explained they put out more than a dozen pumps to reroute water, and a half dozen more are on the way.

Many roads reopened, with only a couple still not passable.

But Lt. Gov. Cox expressed that what he witnessed also worried him.

"Problem now is has moved north," he said, of the flooding. "We saw that from the air a little bit earlier. It's significant, impacting a lot of houses."

He said they are assessing Box Elder and Cache Counties for flood damage, and initial estimates place it at more than $4 million.

That would be enough to call for federal emergency assistance, he said.

While the Utah National Guard is helping for now, they're also urging the community to continue step in.

"If you are okay, then go help your neighbors," Summers said, stopping to hold back tears.

He said he's seen so much of that already, and Lt. Gov. Cox agreed, saying it's been inspiring for him to see the outreach in this time of crisis.

'Difficult times:' National Guard, neighbors step in to help following Box Elder County flooding (Deseret News)

ELWOOD, Box Elder County — Following four days of extensive flooding in Box Elder County, Stan Summers couldn't hold back his emotions while describing the plight of one particular resident.

"There was an older gentleman that (approached us) and said, 'I don't have any money, can I get some sandbags?'" Summers, a Box Elder County commissioner, told reporters in Elwood through tears. "I don't know what you tell them besides, 'just get in here, load your sandbags up, where do you need them?'"

Warm weather, rainfall and massive snowmelt have resulted in flooding affecting up to 90 percent of communities in Box Elder County, officials estimate. The Utah National Guard was called to assist large-scale sand-bagging efforts Wednesday.

About 12 soldiers from Camp Williams responded to the Box Elder County Fairgrounds with an automatic sand-bagger, according to the National Guard.

"When it's operating at its peak efficiency, it's very helpful," National Guard Capt. Lance Curzon said. "We're able to fill up sandbags and put them on those pallets very quickly."

The response hasn't gone unnoticed by local officials.

"We appreciate everybody coming and doing these things for us," Summers said. "It's a little overwhelming to say the least in the last four days to watch everybody come together."

The widespread flooding of roads and homes means that opportunities for reaching out are plentiful, Summers said.

"I'd just say, if you're OK, you don't have to look very far to go help your neighbor," he said.

About 30,000 sandbags have been filled with 700 tons of sand and distributed to 25 locations throughout the county, Summers said. Thirteen heavy-duty pumps are in place to protect homes, businesses, fields and roadways, with six more on the way.

Salt Lake County also pitched in after an official made a call to the county mayor.

"They don't have time to go out and fill (sandbags) because they're out on the streets really protecting their community," Salt Lake County Mayor Ben McAdams said. "So I said, 'let me see what I can do we'll get some people together and get some sandbags up to you ASAP.'"

Volunteers filled between 3,000 to 4,000 sandbags Wednesday morning in Midvale; they were shipped to Tremonton in five large trucks early Wednesday evening.

"I know they'd do the same for us if we were in crisis. They'd help out," McAdams said.

The American Red Cross teamed up with state and local agencies at the Aldersgate United Methodist Church, 850 S. 200 East in Brigham City, to create a one-stop help center for flood victims.

For people like Corinne resident Rick Miller, whose family has a flooded basement and a ruined furnace, finding that help Wednesday was essential. He visited the church in hopes of finding help keeping his home warm.

"We've been living off of our wood-burning stove. ... I don't know if there's a way they can help us with our furnace — if there there's a way they can (help us find) fire wood that's dry," he said.

Summers said Box Elder County residents were mindful of the help coming in from throughout the state.

"We know that we have friends on every side," he said. "It's funny how events like this kind of erase borders between counties and states."

Curzon said he was grateful the National Guard got the call to assist.

"For us -- we have to see people in these difficult times, so we're more than happy to be up here and do everything we can. ... This is why we do it," Curzon said. "This is why all of us volunteered to serve in the military. You know, sometimes we've been called to go overseas, but it's nice to be here in the same communities that we live in."

Lt. Gov. Spencer Cox, who flew to Box Elder County to survey the damage Wednesday, praised those who had devoted "tens of thousands of man-hours" to protect homes and businesses.

"I (knew I was) going to see some terrible things and talk to some people who are having a really, really bad day," Cox said. "But I (knew I would) leave inspired because (of) ... stories about communities coming together, neighbors coming together, people coming together, churches coming together and helping each other out."

Brigham City resident Kerri Petersen drove to Tremonton with her sons to assist flood victims, most of whom she didn't know.

"(It) feels good," Peterson said. "Glad to get my boys helping, too."

Petersen can empathize with the stress of having her home threatened. The crawlspace of her own home flooded last week, she said.

Summers said there has been intermittent flooding in Box Elder County since January, mostly in its western portion.

"It really became a problem when the snowpack started to melt," he said.

Some roadways and canals have been breached in recent days, Summers said, making the situation all the more dire.

Mark Millett, emergency manager for Box Elder County, said the large snowpack, combined with warm, wet storms, is responsible for the flooding.

"As it's melted, the snow has just continued to concentrate the moisture (in place) and in many cases, not really run off too much," he said.

Most Box Elder County and other northern Utah residents can expect falling temperatures and snowfall for a large portion of Thursday, according to a forecast from KSL-TV meteorologist Kevin Eubank.

Temperatures are expected to cool significantly, dropping into the high 20s or low 30s through Saturday.

That forecast is good news to Box Elder officials.

"If we can move into just kind of a cooler warming period to allow us to come off in that more incremental measure, we're fine," Millett said.

Utah congressman demands FEMA's Louisiana flood records, says man died in overheated trailer (The Advocate)

BATON ROUGE – A Utah congressman is demanding the Federal Emergency Management Agency turn over documents on mobile housing units related to the August flood after an elderly man was found dead in an overheated trailer.

"When local authorities inspected the MHU, they discovered temperatures over 137.0 degrees Fahrenheit with the air conditioning and heating control unit reading 50 degrees Fahrenheit," states the letter by Jason Chaffetz (R-Utah), chairman of the House Committee on Oversight and Government Reform.

The letter does not provide specific identifying information on the deceased man or where he was found. FEMA has told committee members that there have been no deaths due to faulty MHUs, Chaffetz's office wrote.

The congressman also raised concerns about the length of time it took to deliver mobile homes to flood survivors and the efficacy of the Shelter at Home program.

WYOMING:

Flooding in Big Horn County (Powell Tribune)

Fifteen minutes. That's all the time Ernie and Teresa Marsh had Tuesday to get themselves and their vehicles out of the path of a flood that no one expected to ever happen near their Big Horn County home.

"It might be one of those 100-year deals," Ernie Marsh said Wednesday. "No one remembers a flood like this right here," off Spence Oil Road between Greybull and Lovell. "Even the county sheriff doesn't remember (a flood) here."

Ice jams in the Big Horn River have caused repeated flooding before in other areas — Worland, Manderson and Greybull, for example. But the Marshes' property sits near a straight section of the river.

"It's kind of odd that (ice) would pile up here," Marsh said.

But pile up it did, and once that happened, the Marshes went into action to get into their vehicles and move them to higher ground, out of the way of the fast-approaching floodwater.

Unfortunately, there wasn't time to salvage much from their mobile home or from the shop where Ernie Marsh does silversmithing.

Later, they moved their horses to higher ground.

"The horses weren't wanting to leave on their own yesterday, so we had to wade out there to move them," Marsh said.

Larry and Dianne Ostermiller of Powell own a cabin on neighboring property.

Larry Ostermiller got a call from the local rural electric association Tuesday telling him that workers were going to shut off power to the cabin, because it had flooded.

"We were just flabbergasted," Dianne Ostermiller said. "We felt like there was no danger."

A 4-foot dike ran around their property, and the Federal Emergency Management Agency didn't have the property listed on a flood plain, Larry Ostermiller said.

When the ice jammed, "the dike held everything out except for in one spot, where a bunch of mice had holes burrowed in the dike," he said. "Cats were digging them out over time, and the water found a weak spot and washed it right out."

Larry Ostermiller got a call Tuesday evening from Marsh, who asked if he knew anyone who had a boat he could use to get things out of his mobile home, as he wasn't sure it would still be standing Wednesday morning.

Ostermiller borrowed a flat-bottomed rowboat from a friend and drove it down to the Marshes' property. They used the boat to make several trips, shuttling valuables and irreplaceable family belongings from the home — family photos, marriage certificates, etc. — to higher ground.

Marsh resumed those efforts the next morning, when he saw the mobile home was still standing.

“The house is still there, and my shop building where I work on stuff,” he said.

The rowboat came in “real handy,” Marsh said, adding with some astonishment, “I’m not often wading in a rowboat in the middle of a desert.”

He said the floodwater contains a lot of unidentifiable debris of different colors, probably from previous flooding upriver.

“There’s a lot of people in Worland that had this happen earlier,” he said.

Another neighbor couple is spending the winter in Arizona, so Marsh said he checked out their property and gave them a report. That house stands a little higher, so it’s barely out of the water, but other buildings on the property were flooded. Ostermiller said the couple had a brand new Jeep Cherokee parked in one of their shops.

Now, it’s pretty much a waiting game.

“We’re not sure if this is going to go up or down,” Marsh said early Wednesday afternoon. “It seems like it’s fluctuated a little bit; the water was down about 6 inches, but now it looks like it’s kind of on the rise again.”

“All I can do is just wait and see what happens and clean up the mess later,” he said. “This is my first flood, so I’m kind of a newbie.”

Neither the Ostermillers nor the Marshes had flood insurance. Until Tuesday, it didn’t seem necessary.

“Ours is not a great situation,” Dianne Ostermiller said. “We’re going to lose a lot financially.”

The Marshes, meanwhile, have lost their home and their business.

Still, Marsh said it could have been much worse.

“We’ve got all our horses, our family’s good, the dogs and cats are OK, so we’re feeling pretty blessed about that,” he said.

Marsh said he and his wife are staying with their son in Byron.

“We’re feeling pretty lucky,” he said. “It happened in the daylight when we could see it coming and we were able to get out of the way.”

Authorities watch river

Four different ice jams caused trouble along the Big Horn River on Tuesday, with reports of some properties flooding in Manderson, Basin and the rural areas between Greybull and Lovell.

"The ice jams are moving along the river in Big Horn County, causing old ice jams to break and move and forming new ice jams as it goes," Big Horn County Emergency Management Coordinator LaRae Dobbs said in a Tuesday Facebook post.

Dobbs said the ice jam between Greybull and Lovell was particularly large.

"Our pre-flood efforts are in place, and the river is being monitored on a continuum. This is the hard part, where we watch and wait," she wrote, adding, "If you live along the Big Horn/Greybull river, please take precautions. Move your animals away from the river, and make preparations for your family to evacuate if you are flooded."

Runoff water reached high levels over the weekend in Manderson at the confluence of the Nowood and Big Horn rivers. Ice from the Nowood River jammed just above Manderson, before it flows into the Big Horn.

"The jam pushed out Monday, and water levels are dropping," Pete Hallsten, district engineer for the Wyoming Department of Transportation, said Wednesday. "The town never got wet, but the water came up into the U.S. 16/20 highway right-of-way. The water was still 2 to 3 feet below the roadway."

The ice jam, which flooded parts of the Worland area last week, remained a couple miles above Manderson on Tuesday.

WYDOT said its maintenance crews continue to provide support in flood mitigation efforts near Worland, Manderson and Greybull.

Those efforts include transporting and placing concrete barriers, providing sand for sandbagging operations, transporting and placing filled sandbags, closing roads when necessary for safety, inspecting bridges and advising officials on flood control efforts.

If the jam hadn't reached Manderson Wednesday or Thursday, "it may be a while, as the weather is forecast to cool down through the rest of the week," Hallsten said. "A good snowstorm is being forecast, with dropping temperatures."

Big Horn River flows through Worland, Manderson and Greybull were high but within the river channel Wednesday.

"Frost is leaving the ground, so runoff water is being absorbed into the ground," Hallsten said. "So even as the melting picks up, the runoff is subsiding. Most of the low-lying snow is melted throughout the Big Horn Basin."

He said WYDOT's main concern remains how the ice might impact area towns and river crossings associated with bridges.

"From what it currently looks like, we are in a waiting game to see what happens," said WYDOT District Maintenance Engineer Lyle Lamb of Basin. "We will continue to support communities along the Big Horn River."

Wyoming National Guard troops were demobilized from the area on Saturday.

USDA proposes future flood relief program (Northern Wyoming Daily News)

WORLAND – The Washakie County Commission heard from a representative from the United States Department of Agriculture on Tuesday, introducing the opportunity to sponsor a flood relief program that could benefit county projects in the future.

Introduced by county Emergency Watershed Manager Laura Galloway of Ten Sleep, primary soil scientist James Bauchert with the USDA explained to commissioners the parameters of the Emergency Watershed Flood Funding program, and the role it could have in the local area.

While the program would not benefit the most recent flooding in Worland, it could help identify potential risk to wildlife and physical structures including private property and bridges.

While the USDA program would work mainly with primary sponsor, the Washakie County Conservation District, the agency would need the commission to co-sponsor, to fulfill a requirement demanding that at least one sponsor have authority of eminent domain and taxation.

"Anytime the phrase 'eminent domain' is used, I get a bit nervous," noted Commissioner Fred Frandson. "I don't like those two words."

Bauchert assured the commission that all authority to invoke eminent domain in the case of an emergency situation remained the power of the commission, and that the USDA had no jurisdiction other than requiring a sponsoring body have the authority.

The commission agreed to review the program with the county attorney, and come to a resolution before the next commission meeting in March.

In other business, Public Health Nursing Manager Amanda Heinemeyer requested a budget hearing, to attain an additional $10,000 for the county vaccination program. The council agreed to review the matter and schedule it for the next regular meeting in March.

"Fight The Blight" Task Force Considers Ways To Tackle Properties (Wyoming Tribune Eagle, Cheyenne)

By James Chilton
Wyoming Tribune Eagle, February 22, 2017

CHEYENNE – Mayor Marian Orr's all-volunteer "Fight the Blight" advisory task force began to discuss the work ahead of it Tuesday, including working out a definition of the blight it's aiming to eliminate.

Task force members discussed the need to properly define the concept of blight to understand what sorts of ordinances it may ultimately recommend to the City Council down the road. To begin, Orr shared her own ideas for what she'd like to see the task force combat.

"My vision is to look more at things that are dangerous. If someone decides to decorate their house with yard gnomes, that's up to them," Orr said. "I think it's attractive nuisances – buildings and properties left vacant ... walking the dog in my neighborhood this weekend, there are abandoned homes being broken into, and it's problematic."

As an example, Orr pointed to a house on Bent Avenue that was only recently declared to be unfit for human habitation by the city's building safety department. Such properties, she said, if left unsecured, could attract both children unaware of the danger and vagrants or criminals.

"That homeowner has 30 days to respond (to the building department's concerns), but where do we go from there?" Orr asked. "It's an out-of-town owner."

Task force chairwoman Julie Gliem tasked member and local attorney Larry Wolfe with researching other municipalities' definitions of residential and commercial blight, with the aim of returning to the task force's March 7 meeting with some workable language members might adopt going forward.

Fellow task force members Dominic Valdez and Steve Borin noted they'd already done some looking into the definitions of blight and found they vary widely depending on the community. Valdez said about the only common theme he saw was that urban blight often went hand in hand with the term "nuisance," though Orr noted even that term can be subject to different interpretations.

"There are at least two different levels (of nuisances), if not three: you have tall weeds and an elderly person who just can't keep up with the yard, or an empty house with an out-of-town owner where the weeds are tall," Orr said. "But there are also homes that have been uninhabited for years that are literally rotting away, and people know the place is not inhabited."

City code enforcement officer Emmett Lusher said the city already has all the legal tools needed to address the first kind of nuisance; it's the latter he said the task force would need to work on. As he explained, he handed out photos, including one of a house on Gopp Court in south Cheyenne where the roof has caved in.

"Is this inhabited?" Valdez asked.

"Not officially, but according to the neighbors, there are people there coming and going," Lusher replied. "There may be some mechanism where, once we have a way to deal with that situation, there may be a way to pay for it or take possession at some point in the process. Then we'd be able to raze it, or in some cases restore the property."

Orr noted that the city is currently working on resuming a program that would tap into a $1 million Federal Emergency Management Agency grant that would provide low-interest loans to some city residents to help remediate their property. She said such a tool may be one way to help encourage owners of distressed properties to clean them up.

Task force members also discussed reviving a program to provide roll-off dumpsters to some neighborhoods that may provide further incentive to clean up messy yards.

Attention then turned to some specific residential and commercial properties task force members want to see addressed, and what sorts of hurdles currently stand in the city's way. Task force member Corey Loghry produced a two-page list of properties in town that, according to the Board of Public Utilities, had their water and sanitation shut off some time ago – in one case, a house last had water service in 2005.

Gliem suggested Lusher could learn more about whether those properties are occupied, while the task force concentrates on what condition they're in and how they might best be addressed.

"Is it a property that simply has tall grass and needs to be cleaned up, or is this a property where we're looking at total demolition? Can we rehab it? Are the foundation and roof still good?" Gliem said. "We need to classify properties based on that criteria. If we have a lot of cleanup properties, that might be something we can do quickly and easily."

As far as drafting ordinances to give the city more leeway to address blighted properties on its own, Orr suggested the task force consider the worst properties first.

"I think we need to start with those properties that are absolutely abandoned, with the second priority being renter-occupied properties where we have landlords that have created really poor living conditions and are taking advantage of their renters," Orr said. "We need to prioritize and knock off some wins as far as taking care of the abandoned structures we know exist within our community."

Wolfe and Borin both suggested the need for the task force to correspond with the city's chief building official and the city attorney once an acceptable blight definition is in place. As they begin to apply that definition to individual properties, those city staffers can begin to assist with crafting specific city ordinances to address ongoing problems.

FEMA-RELATED STORIES:

Americans Once Moved Away From Forests. Now Forests Are Moving Away From Americans. (Washington Post)

By Darryl Fears

Washington Post, February 22, 2017

Over several decades in the past century, city populations swelled as Americans moved away from rural forests. Now the forests are moving farther away from Americans.

A new study of satellite images taken over 10 years starting in 1990 shows the rural forest canopy disappearing. Forest space disappeared from the United States in such big chunks that the average distance from any point in the nation to a forest increased by 14 percent, about a third of a mile.

While that's no big deal to a human driving a car with a pine-scented tree dangling from the rearview mirror, it is to a bird hoping to rest or find food on epic seasonal flights across the globe, according to the study published Wednesday in the journal PLOS One.

But forests aren't just for the birds. They improve the quality of life for fauna and flora, from bears to flowers. Altering forests can change the dynamics of ecosystems and can potentially "affect water chemistry, soil erosion, carbon sequestration patterns, local climate, biodiversity distribution and human quality of life," a statement announcing the report said.

Using forest maps over the continental United States, researchers Sheng Yang and Giorgos Mountrakis of the State University of New York at Syracuse marked tree canopy that disappeared over a decade in red to highlight the change. In one illustration included in the study, the page appeared to bleed.

"So if you are in the western U.S. or you are in a rural area or you are in land owned by a public entity, it could be federal, state or local, your distance to the forest is increasing much faster than the other areas," Mountrakis said. "The forests are getting further away from you."

One of the findings of the study is a twist that Yang, a graduate student, and Mountrakis, an assistant professor at the College of Environmental Science and Forestry, didn't anticipate. The disappearance isn't happening in cities, where people often complain about the uprooting of trees for development. It's happening in rural America, where trees are falling and hardly anyone hears.

That finding turns conventional wisdom about forest loss on its head, Mountrakis said. “The public perceives the urbanized and private lands as more vulnerable, but that’s not what our study showed,” he said. “Rural areas are at a higher risk of losing these forested patches.”

“Typically we concentrate more on urban forest,” said Sheng, “but we may need to start paying more attention — let’s say for biodiversity reasons — in rural rather than urban areas. Because the urban forests tend to receive much more attention, they are better protected.”

While people in the sticks are losing their forests, the relationship between urban dwellers and trees is a love story. Dating back to when President Thomas Jefferson denounced the removal of trees that cooled the new capital city as “a crime little short of murder,” Jill Jonnes wrote in her book, “Urban Forests,” city slickers have fought to defend the little green space they get.

Rock Creek Park in the District of Columbia, Central Park in New York, Piedmont Park in Atlanta, Griffith Park in Los Angeles, and Golden Gate Park in San Francisco are examples of urban forests that are fussed over, pampered and protected by law. They are also cherished gathering places that help define their cities.

The remote areas that Americans have come to know as wild lands are being whittled away by farms, development and wildfire, particularly in the West, Mountrakis said. Arizona, Colorado and Nevada saw significant attrition or separation of forests, according to the satellite images.

In California and Colorado, trees stressed by drought are being eaten to death by beetles, standing dead on mountainsides by the hundreds of millions, virtual ghost forests. Ecologists argue whether fires that might consume them are a good or bad thing, in that it would kill the beetles yet threaten homes too close to the forest edge. Human development is another grim agent of tree canopy loss.

The researchers said they hope public land managers, such as the U.S. Forest Service and Bureau of Land Management, along with officials at the state level, will pay attention to their research. They hope to follow up the study with research into the drivers behind the loss of forests.

But the pictures don’t lie, he said. There’s no doubt that huge clumps of trees are disappearing.

“You can think of the forests as little islands that the birds are hopping from one to the next,” Mountrakis said. The loss of forests has side effects. It alters the local climate, decreases biodiversity and leads to soil erosion. “This is the major driver — we can link the loss of the isolated patches to all these environmental degradations,” he said.

The study tracked the loss of forest by calculating the distance to the nearest forest from all points on an area map, Mountrakis said. They noticed that some chunks of tree space disappeared within a forest, but that has less of an environmental impact as forests that wither on the edge, slowly transforming them into islands.

Climate Change Tied To Nation’s Infrastructure Needs (The Hill)

By Rep. Raúl M. Grijalva

The Hill, February 22, 2017

In what’s become a troublingly common occurrence, the combination of extreme weather and crumbling infrastructure threatened the residents of another American community in California not long ago. Extensive rainfall in Northern California damaged the spillway of the Oroville Dam – the nation’s tallest – and threatened numerous communities below the dam with massive flooding.

As The Atlantic reported on Feb. 13, “drought, climate change, and aging infrastructure combined to create a looming catastrophe.” Nearly 200,000 residents were forced to flee their homes. Families scrambled to find shelter, gas stations were gridlocked, and stores ran low on supplies. Residents, given mere minutes to evacuate, worried whether their homes would be standing by week’s end.

It now appears this crisis was averted, but these kinds of weather extremes and their impacts on our aging infrastructure are becoming more and more common, and the causes are not mysterious. Scientists are documenting a rise in extreme weather events across the United States in response to a warming climate, and Congress has failed to make needed investments in our infrastructure for decades.

What we saw in Oroville should push Congress to understand not just why our infrastructure – the humble roads, dams and bridges we keep hearing about – needs a massive upgrade, but why the risks to that infrastructure are getting worse. Building taller dams or replacing washed-out roads without acknowledging why they keep failing is a recipe for very expensive disasters.

In 1980, when the federal government began collecting data on the number of billion-dollar climate disasters every year, there were only three with losses exceeding $1 billion. In 2016, there were 15 climate disaster events with losses exceeding $1 billion across the United States.

Climate change does not just mean more days with record high temperatures. It means all kinds of extreme weather events will become more frequent and more severe as the planet continues to warm. Floods will become more devastating. Wildfires will burn hotter. Droughts will last longer and affect new areas.

Those fleeing the possible flooding in California were by no means the first climate refugees. Over the past 10 years, the Isle de Jean Charles community in Louisiana has lost two-thirds of its residents to dislocation because of rising sea levels. On Washington's Olympic Peninsula, the Quinault Indian Nation must rely on a 2,000-foot-long sea wall for protection until it can complete its move uphill. In Alaska, climate change flooding and shoreline erosion already affect more than 180 villages, 31 of which are in "imminent" danger of becoming uninhabitable.

If we continue with business as usual, roughly 13 million Americans could become climate refugees by the end of the century. Avoiding this future for our kids and grandkids will require the United States to take decisive action now. Unfortunately, standing in the way is a fact-averse President Trump who calls climate change a Chinese hoax and a Republican Party addicted to campaign contributions from the oil and gas industry.

Just this month, Republicans on the House Natural Resources Committee voted against even acknowledging that human activity is a major contributor to climate change. As long as Republicans in Washington decide they would rather do the bidding of the same old corporate interests and big oil lobbyists than work with Democrats to reduce carbon pollution, climate change will continue to get worse.

More than 70 percent of Americans acknowledge that global warming is happening and more than 90 percent of published climate scientists believe human activity is the primary cause. Scientists tell us that carbon pollution is causing the climate to change 170 times faster than natural forces. Yet President Trump and Republicans in Congress continue to ignore the problem and push an extreme agenda that tips the scales on behalf of the fossil fuel industry and special interests.

It's long past time to get past phony debates about the existence of climate change and get to work on serious climate solutions. This will mean establishing pollution limits and moving away from dirty energy sources that pollute our climate, air, and water.

And if the Trump administration is serious about a bipartisan infrastructure package, they and Congressional leaders must be willing to invest real money and admit that our changing climate is one of the most serious challenges we face. The longer we wait, the more we can get used to seeing the sights we witnessed in California.

Grijalva is ranking member of House Natural Resources Committee and represents Arizona's 3rd District.

The views expressed by this author are their own and are not the views of The Hill.

From: Welch, Randy
Sent: 24 Jan 2017 13:02:14 -0500
To: R8 All Hands
Cc: (b)(6) (b)(6) @state.co.us;(b)(6) @mail.mil;(b)(6) @mail.mil (b)(6) @nd.gov;(b)(6) @state.sd.us (b)(6) @state.sd.us (b)(6) @utah.gov;(b)(6) @wyo.gov;(b)(6) @acf.hhs.gov;(b)(6) @usace.army.mil;(b)(6) @usace.army.mil;(b)(6) @state.mn.us;Peterson, Mark J;(b)(6) @hhs.gov;(b)(6) @hhs.gov;(b)(6) @hhs.gov;(b)(6) @sba.gov;(b)(6) @sba.gov;Nelson, Jason;(b)(6) @fs.fed.us;Alexander, Daniel
Subject: FEMA Region VIII news clips for Tuesday Jan 24

Region VIII Clips

Tuesday, Jan 24, 2017

ANALYSIS

- *Colorado:* The Colorado Springs mayor may ask for less of the city's surplus to be used to solve its stormwater issue with Pueblo, instead proposing that some of the surplus be returned to taxpayers.
- *Montana:* The state's new insurance commissioner urged residents to get flood insurance before the spring thaw.
- *North Dakota:* A wide variety of media across the state picked up the news that President Trump was to sign an executive order to advance construction of the Dakota Access and Keystone XL pipelines. The Reuters story below says it is not clear if that order would supersede the decision by the Corps of Engineers to do another environmental assessment. … Three key reservoirs on the Souris River are already in compliance with their prescribed levels for February. The National Weather Service will issue a flood outlook on Friday.
- *South Dakota:* Two stories pick up on the press release from Governor Daugaard's office to report on his request for a Presidential disaster declaration for the late December storm.
- *Utah:* A winter storm snarled traffic and created avalanche danger. Storm warnings remained in effect into Tuesday morning.
- *Wyoming:* A long story in the *Wyoming Tribune Eagle* discussed the proposed West Edge project in Cheyenne, which ties a stormwater/flood mitigation project to economic development. A $3 million FEMA Pre-disaster Mitigation grant played a key role in the project. .. A web site reports that former North Dakota Governor Jack Dalrymple asked Wyoming via EMAC for riot police to help with the South Dakota pipeline protests.
- *Other FEMA-related stories:* A new weather satellite has produced spectacular images.

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Cheyenne's West Edge: Past, present and future (Wyoming Tribune Eagle)

North Dakota Allegedly Asked Wyoming For Riot Squads To Put Down 'Civil Unrest' At Pipeline Protests (The Daily Caller News Foundation)

FEMA-RELATED STORIES
You can also read today's briefing, including searchable archive of past editions, at http://www.BulletinNews.com/fema.

The First Images from the New Weather Satellite Just Arrived, And They're Absolutely Incredible (Washington Post)

STORIES

COLORADO:

Mayor changes plan for city's $9 million surplus (KOAA TV, Colorado Springs)

Posted: Jan 23, 2017 6:42 PM MST

By Greg Dingrando

COLORADO SPRINGS - Colorado Springs Mayor John Suthers has made a change to his plan on how to spend the city's $9 million surplus.

With the TABOR law, how to spend the money will ultimately be up to the voters, but the city can request to use it.

Originally, if he got voter approval, the mayor was wanting to spend all of the money on storm water improvements. But the alternative option of $50 in pocket would have likely been more appealing to voters.

With Colorado Springs' ongoing flood issues and looming lawsuits from Pueblo, the decision was pretty easy for some voters.

"I'd say fix the storm water," resident Craig Lindal said "I'd go with storm water. Help get more drains in so there's not as much floods and stuff," resident Juan Lopez said.

But there are plenty of others that want to take the money and run.

"I need the money. I want the money," another voter said. "I could put gas in my car, groceries in my house, lots of different things," resident Joseph Ward said.

Mayor Suthers said he recognized that divide and made the adjustment.

"We think we should split it. We don't think we should keep the whole thing, even though that would obviously help in the storm water deal," Suthers said.

Suthers proposed the city should get $6 million for storm water and the remaining $3 million plus will go back to the voters.

"I think its also nice to reward consumers spending that money and refund as much as we can," Suthers said, all while addressing what he calls the city's top priority. "This allows us to make investment in an area we have significant legal problems and hopefully solve that problem."

Suthers said it could also protect the city down the road. For the next five years the city has to pay $17 million a year on storm water to avoid getting sued. Suthers said using money from the surplus will save general funds in the future.

"Being able to apply the $6 million now in good times to save and invest that will shield us from having to make any cuts if there's a downturn a couple years from now," Suthers said.

The council will vote on the proposal Tuesday to put it on the April ballot. Either way, voters are in a pretty good position. If they say no to the city, roughly $50 will go back to each household through a utility bill reduction. If voters say yes, the city gets $6 million for storm water and each household would get about $20 back.

MONTANA:

Montana's New Insurance Commissioner Urges Residents To Get Flood Insurance Before Spring Thaw (KGVO, Missoula news/talk radio)

By Peter Christian January 23, 2017 6:28 PM

Montana's new State Auditor and Insurance Commissioner is rancher Matt Rosendale, a man who has lots of personal experience with flooding.

"Our ranch is right on the Yellowstone River over by Glendive," Rosendale said. "Obviously it's been collecting water and ice for 600 miles before it gets to our place, and all that ice gets caught in a turn in the river and it can flood the surrounding area in a big hurry. Folks need to be aware of that and they themselves stay out of harms way, but to also protect their homes with flood insurance."

Rosendale said homeowners are mistaken if they think their hazard insurance covers flooding. "It does not," he said. "Unless you have specifically invested in national flood insurance. They need to contact their current insurance agent to make sure they have invested in a flood insurance rider to make sure that you're covered. It is a separate policy."

Flood insurance policies typically do not take effect until 30 days after purchase, making advance planning critical for properties at risk of flooding.

Flood insurance is available in most parts of Montana through the Federal Emergency Management Agency's National Flood Insurance Program, and private flood insurance plans may also be available.

For more information about flood insurance in Montana, visit the commissioner's website at csimt.gov/your-insurance/flood or go to floodsmart.gov. The commissioner's office can also be reached at (406) 444-2040 to answer questions.

NORTH DAKOTA:

Trump to sign orders for Keystone, Dakota Access pipelines (Reuters)

By Steve Holland / Reuters Today at 9:57 a.m.



WASHINGTON - President Donald Trump will sign two executive actions on Tuesday, Jan. 24, to advance construction of the Keystone XL and Dakota Access pipelines, an administration official said, rolling back key Obama administration environmental policies in favor of expanding energy infrastructure.

The orders would be a bitter defeat for Native American tribes affected by the $3.8 billion Dakota Access line as well as climate activists after months of protests successfully delayed the Dakota project.

Energy Transfer Partners shares rose 2 percent in U.S. trading to $36.45 a share. Oil producers in North Dakota's Bakken region would likely benefit from transporting oil to the U.S. Gulf Coast through the 1,172-mile pipeline.

The Standing Rock Sioux Tribe, whose reservation is adjacent to the proposed Dakota pipeline, won a key victory when the U.S. Army Corps of Engineers in early December turned down ETP's request for an easement to tunnel under the nearby Missouri River.

Most of the pipeline was complete by the summer of 2016, except for a small section under Lake Oahe, a reservoir that forms part of the river.

The Army later said it would begin an environmental assessment that could delay the project further. It was not clear if Trump's expected order on Tuesday would supercede that move.

Standing Rock officials were not immediately available for comment.

Trump on Monday met with leaders of labor unions, including the Building and Construction trades group and the Laborers International Union of North America, who have been vocal supporters of both pipeline projects.

Both groups had endorsed Trump rival Hillary Clinton in the 2016 U.S. election, but disagreed with her opposition to the Keystone pipeline.

Former President Barack Obama rejected Transcanada Corp's Keystone XL oil pipeline, which would bring Canadian crude from Alberta into the U.S. Gulf, in 2015 after environmentalists campaigned against the project for more than seven years. Transcanada declined to comment. TransCanada shares rose 1.1 percent to hit their highest since September, but pared gains to last trade up 0.8 percent at C$63.30 on the Toronto Stock Exchange.
Trump's action, which comes in his fourth full day in office, would benefit producers concerned about limited pipeline capacity bringing oil to market from both North Dakota and Canada. U.S. oil production boomed in recent years and has resulted in fewer foreign imports of crude oil.

Souris River reservoirs are at the prescribed levels for Feb. (Minot Daily News)

It is never to early to prepare for the spring run-off season. Three key reservoirs on the Souris River Basin are already in compliance with water levels as prescribed by the International Agreement governing the operation of the reservoirs.

“We were at our February 1 target elevation this morning,” said Tom Pabian, Upper Souris national wildlife manager on Monday. “We’ll continue to lower Lake Darling at a slow to moderate rate.”

The Fish and Wildlife Service manages Upper Souris NWR, which includes Lake Darling. Lake Darling was at 1,595.99 feet early Monday afternoon and will likely drop another half a foot by Feb. 1. If so, that would put the lake about half a foot less than the 1,596 level as required by the International Agreement.

“We’ve got about 45 cubic feet per second coming in and 120 cfs going out,” explained Pabian. “The main point is we are letting out more water than is coming in and the lake is slowly going down.”

The water entering the north end of Lake Darling is coming from releases at Alameda Dam near Oxbow, Saskatchewan. Alameda is fed by Moose Mountain Creek, a major tributary of the Souris. The water level of Alameda was 1,840.48 feet Monday, slightly below the Feb. 1 target elevation of 1,840.64 feet.

Rafferty Reservoir, located on the Souris River at Estevan, stood at 1,801.47 feet Monday. The Feb. 1 target elevation for that impoundment is 1,802.90 feet. Rafferty has been below its allowed operating level throughout the winter.

The Saskatchewan Water Security Agency is expected to release their first run-off outlook of the season on Feb. 1. The National Weather Service is scheduled to issue their January Flood Outlook on Friday.

The International Souris River Board will hold a conference in Regina, Sask. on Thursday, Feb. 23 where they will examine the latest available data on snowpack, soil conditions and other factors of importance regarding spring snowmelt run-off. The group will use the information to determine whether or not 2017 will be declared a one-in-10 years run-off event for the Souris

River Basin. If a one-in-10 event is declared, the U.S. Army Corps of Engineers will assume operation of Lake Darling Dam.

SOUTH DAKOTA:

Gov. Daugaard requests Presidential Disaster Declaration for December storm (KSFY TV, Sioux Falls)

PIERRE, S.D. – According to the Department of Public Safety, Gov. Dennis Daugaard Monday requested a Presidential Disaster Declaration to help South Dakota recover from a late December storm that did more than $9.1 million in damage to public property.

The request covers public assistance in 24 counties -- Butte, Clark, Codington, Day, Deuel, Dewey, Edmunds, Fall River, Faulk, Grant, Haakon, Hamlin, Harding, Jackson, Jones, Marshall, McPherson, Meade, Pennington, Perkins, Roberts, Stanley, Sully and Ziebach. Also included is the Cheyenne River Sioux Tribe within Dewey and Ziebach counties and the Oglala Sioux Tribe within Jackson County.

The DPS said that in a letter to President Donald Trump, Gov. Daugaard says the storm started Dec. 24 and continued through Dec. 26. Blizzard conditions, high winds and freezing ice led to broken power poles, downed electrical lines and stranded motorists. Three deaths were associated with the storm.

“County and city governments were overwhelmed by the blizzard conditions and ice accumulations and struggled with maintaining accessibility for emergency traffic during the snowstorm,” Gov. Daugaard wrote the President. “When emergency officers responded to 911 callers, it took hours and a great deal of snow removal or specialized snow equipment to reach them.”

Earlier this month, Gov. Daugaard had requested that FEMA help the South Dakota Office of Emergency Management verify the public property damage information provided by the counties. That work was done last week.

The DPS said Gov. Daugaard stated in his letter that the state has responded to six previous Presidential Disaster Declarations since 2013. The Governor said the state still is working through the recovery process from those six disasters with FEMA.

“As you understand, recovery from disasters takes years after the initial event to fully recover physically, emotionally, and financially,” wrote the Governor. “This severe winter storm event impacted many of the same rural electric cooperatives as in the 2010 and 2013 disasters, which are still dealing with the financial ramifications and hardships from those events.”

The DPS said the request is necessary for federal disaster funds to be made available to South Dakota. If the President grants the declaration, up to 75 percent of eligible costs could be

reimbursed by the government. The Governor's request does not guarantee that funding will be made available to South Dakota.

Daugaard Seeks Presidential Disaster Declaration For Christmas Storm (KCSR radio, Chadron, NE)

PIERRE, S.D. (AP) - South Dakota Governor Dennis Daugaard has requested a Presidential Disaster Declaration to help with recovery from a late December storm that killed 3 people and did more than $9.1 million in damage to public property.

The request covers public assistance in 24 counties including Fall River, Pennington, and Meade as well as for the portion of the Pine Ridge Reservation in Jackson County.

Gov. Daugaard says verification of public property damage information provided by the counties was completed last week by the state Office of Emergency Management, assisted by FEMA. The request is necessary for federal disaster funds to be made available to South Dakota, but doesn't guarantee it. If the President grants the declaration, up to 75% of eligible costs could be reimbursed by the federal government.

In a letter to President Trump, Daugaard says the storm that began Christmas Eve and continued through the 26th with blizzard conditions, high winds and freezing ice led to broken power poles, downed electrical lines and stranded motorists.

Daugaard stated in his letter that the state has responded to six previous Presidential Disaster Declarations since 2013 and is still is working through the recovery process from them with FEMA.

UTAH:

Avalanche Warning, 20-plus Fender Benders In Salt Lake Area (AP)

Associated Press, January 23, 2017

SALT LAKE CITY (AP) – A winter storm packing heavy snow and high winds has prompted an avalanche warning in northern Utah and snarled traffic on icy roads across much of the state.

The Utah Highway Patrol responded to nearly two-dozen fender benders in the Salt Lake City area during Monday morning's commute but no injuries were reported.

Winds gusting to near 50 mph battered the mountain ranges from north to south late early Monday.

A foot or more of new snow is forecast by late Monday night, with up to 5 inches in the valleys.

The avalanche warning includes the Wasatch Range, Bear River Range and parts of southeast Idaho.

A winter storm warming remains in effect until 4 a.m. Tuesday from Logan south through Ogden, Salt Lake City, Park City, Provo, Cedar City, Bryce Canyon and Zion National Park.

WYOMING:

Cheyenne's West Edge: Past, present and future (Wyoming Tribune Eagle)

- By James Chilton, Wyoming Tribune Eagle
- Jan 16, 2017



- Cheyenne Metropolitan Planning Organization/Courtesy

This artist's rendering of the old steam plant at Snyder Avenue and 17th Street gives an idea of what phase two of West Edge improvements might look like. The city's part would be building the tree-lined pedestrian path and green space on the right side of the picture, while private investors would rehabilitate the old steam plant, building upon the city's initial investment.

CHEYENNE – Following years of planning, design, public input sessions and fiscal wrangling, the stage is set for 2017 to be a pivotal year for Cheyenne's West Edge initiative.

For the uninitiated, the West Edge initiative is a long-range effort by the city to provide new infrastructure and quality-of-life projects to the western portion of the downtown area. By using a seed of taxpayer funding now, the city hopes to eliminate some of the biggest roadblocks to private development in the West Edge: historic flood risk, lack of modern amenities and an industrial infrastructure that is poorly suited to pedestrian or bike traffic and outdoor events.

Once those roadblocks have been addressed, the working theory is that private investors will take over where the city leaves off, buying up decaying or vacant properties and repurposing them for any of a variety of uses: restaurants, a brewery, or high-tech commercial businesses, to name a few.

But it will ultimately fall to the city to take the first steps toward realizing the West Edge vision. And while the going has been steady, deliberate – perhaps even slow – the first phase of West Edge development will finally become a reality this year, even as voters contemplate whether to keep the initiative going.

THE BEGINNING

Before he left the city at the end of December, former Cheyenne Planning Director Brandon Cammarata explained the West Edge's first steps. It began as an idea for providing better stormwater controls for the downtown area – portions of which were devastated by a flood in 1982 and which still remain susceptible to the same.

"People aren't going to want to invest money in properties there if they know they're eventually going to get flooded out," Cammarata said.

So began the first phase of planning for what would become the West Edge initiative: It started with the simple premise of putting in new drainage interceptors and retention areas to lessen the likelihood of a major flood. But it didn't stop there.

"You also think about, what else is important in the downtown? And most people think having a level of open space, of green space in the area, is an important feature," Cammarata said.

"So when you look at flood control, you also look at the opportunity to have some open spaces there," Cammarata said.

In August of 2012, the city went to voters to request $4.8 million in sixth-penny sales tax revenues to that end. At the time, this newspaper referred to the request as being for a "downtown flood control project, including large storm sewer mains, wetlands and water detention."

It wasn't until one month later – after the ballot initiative was approved – that the term "West Edge" first entered the city's lexicon. With the $4.8 million approved, the city wanted to figure out just how far people wanted to take it, and launched a website to solicit the public's ideas for what they'd like to see.

"That got the ball rolling in terms of us being able to get out there and talk to the public about this idea," Cammarata said.

"What's it going to take to entice reinvestment into the West Edge, what are the barriers to reinvestment?"

From those responses, and working among themselves and with outside consultants, city planners came up with three key ideas for the West Edge's first phase: The 26th Street Interceptor, the Civic Center Commons and Pumphouse Park.

THE DRAWING BOARD

Each of the three projects has a practical purpose, first and foremost: getting water out of the streets, giving it more places to go and cleaning it up before it continues downstream.

The 26th Street Interceptor tackles the first of these goals. Though the least visible of the three projects, it may also be the most important in terms of what it sets out to do.

Put simply, the 26th Street Interceptor proposes putting a series of large stormwater pipes under the road – starting around 26th Street and Carey Avenue, then proceeding west to Bent Avenue, then south to 23rd Street.

From there, the pipe would split, with one section going two blocks south to Civic Center Commons, and the other turning west again to connect up with an existing stormwater pipe beneath Snyder Avenue.

Cammarata said, generally speaking, whenever it rains in Cheyenne, the stormwater flows south and east, roughly following the path of Randall Avenue. But currently the stormwater pipes in the area are too small to handle particularly heavy storms, and once those pipes are at capacity, the water has nowhere else to go but down the street.

"The problem is, when it keeps coming, the railroad (south of Lincolnway) acts as a dam," Cammarata said. "The interceptor would take some of the water that crosses 26th Street, catch it and put it in stormwater pipes, and then discharge that into Crow Creek."

In other words, the interceptor would serve as somewhat of a release valve for the downtown area in the event of a severe rainstorm, which is also the intended purpose of the Civic Center Commons, albeit in a slightly different fashion – while the interceptor will redirect stormwater, it doesn't do much to actually slow it down. That's where the Civic Center Commons comes in.

The commons is slated to go just west of the Cheyenne Municipal Building at 2101 O'Neil Ave., replacing an existing city parking lot. Its primary purpose is to serve as a detention pond – a large, sloping basin for excess rainwater to go.

But while the 26th Street Interceptor is strictly utilitarian, the Civic Center Commons has also provided planners the opportunity to address some of the quality-of-life concerns they've received from the public.

"When we were first talking about the (2012) sixth-penny initiative and why folks might be encouraged to vote for it, we were talking out opportunities to manage stormwater, as well as to leverage opportunities to further encourage economic development," Cammarata said.

The park is being designed so that, when it's not raining, it can provide a venue for a wide range of public events, from food truck rallies and farmers' markets to an outdoor movie or concert venue, complete with an amphitheater, step-seating and patio-like corners.

Pumphouse Park, meanwhile, has less to do with controlling water and more to do with cleaning it. The park, slated to go on a vacant lot south of West Lincolnway and just east of the Ames Avenue underpass, is designed to remove sediments from stormwater that collect as it flows through the downtown area.

The park includes a concrete grit chamber built into an existing 80-inch stormwater pipe so that when it rains downtown, water will be rerouted into a forebay and adjoining wetlands area. As the water meanders through various wetlands plants, microbes and ultraviolet radiation from the sun are expected to kill most of the E. coli bacteria in the water, while the grit chamber will help remove sediments before they discharge into Crow Creek.

As with the Civic Center Commons, Pumphouse Park has a dual purpose, providing both stormwater treatment and a pleasant park experience, with riparian plants designed to provide habitat for birds and animals. It will also include a gravel parking lot, a pedestrian bridge and a concrete bicycle path, as well as a raised sitting area where people could watch wildlife or passing trains from the nearby railroad tracks.

FUNDING, TIMELINES

While all three projects have been shaping up nicely during the last few years, none of them has actually been built yet. That's due to change this year, but in the meantime the city has also been finding ways to pay for all these projects, which easily exceed the $4.8 million voters approved for them in 2012.

"Controlling floodwaters, in and of itself, has an element of economic development opportunity if you're reducing risk," Cammarata said. "And being able to leverage additional things above and beyond what the sixth-penny ballot initiative was were opportunities we pursued."

Since the 2012 ballot initiative, Cammarata said the city was able to grow the initial $4.8 million into more than $14 million, thanks to a host of grants from local, state and federal sources.

Even before the sixth-penny ballot was approved, Cammarata said the city pursued and secured a $1 million Environmental Protection Agency grant in 2011 to pay for brownfield assessment – brownfields refer to former industrial or commercial sites where future use is hampered by real or potential environmental contamination, which is a concern for the once industry-heavy West Edge.

Using that money, Cammarata said the city was able to perform assessments on 28 properties in the West Edge, all the while developing further ideas for the sixth-penny ballot and what sorts of commercial and residential development were possible in the area.

Following the first EPA grant, Cammarata said the city also secured a second million-dollar Revolving Loan Fund Cleanup grant – augmented by a $200,000 match from the 2012 sixth-penny measure – meant to help people clean up their properties if they were found to be contaminated.

To date, Cammarata said none of that money has been used yet, since the city's emphasis has shifted to completing the three main West Edge projects. But as construction on those begins, he's hopeful that the city can renew its efforts to work with property owners to help get their land cleaned up.

"I'd been working on the West Edge a lot of my time the last 15 months, and a lot of that has been about keeping Civic Center Commons and Pumphouse Park moving forward," Cammarata said. "But we were hoping to get the revolving loan fund picked back up (this coming) summer, talk to more people, and try to figure out what's going to make this program work for them."

Other grants leveraged from the sixth-penny ballot include $135,225 in Housing and Urban Development block grants for property acquisitions, $450,000 from the Wyoming Nonpoint Source Task Force for stormwater management and green space creation at Pumphouse Park, and $1.7 million in federal Economic Development Administration funds to help pay for the 26th Street Interceptor.

Along with that latter grant, the state has also provided a $1.4 million match for the interceptor, coming from Wyoming Countywide Consensus Grants funding.

And the biggest grant to date has been $3 million from FEMA for flood control at Civic Center Commons.

"FEMA calls it 'pre-disaster mitigation' funding, and it's the largest grant they give in that sort of category," Cammarata said. "In order to get a grant of that nature, we had to show a high level of benefit to our community, as it's a highly competitive grant."

The necessity for the FEMA grant had been questioned by some engineering staff, after engineering spearheaded an unrelated stormwater interceptor project on 19th Street. Cammarata said the city came back to FEMA last summer to go over Civic Center Commons once more, to ensure the project was still needed.

"It took three to four months to redo the whole cost-benefit ratio and run that through again, and they still identified we have the grant for up to $3 million, so long as it's all used on stormwater costs," he said. "We got final approval in early December."

With all the funding secured, the question remains: four and a half years after the sixth-penny vote, where are the projects? And that, again, is where 2017 plays a pivotal role in the West Edge's development.

Before leaving the city, Cammarata anticipated that this is the year that all three projects will finally see construction. Pumphouse Park will be the first, as the city is already soliciting bids for that project, and it must be completed by early summer in order for the city to meet its grant requirements and deadlines.

The 26th Street Interceptor will likely be next, with Cammarata expecting it to go out for bid sometime this spring.

And then there's the Civic Center Commons.

Had he stayed on with the city, Cammarata said his plan was to continue with design in time to put the project out to bid by fall of this year.

"We're probably at about 35 percent or less design, and my plan was to really get into the design full bore over the course of the next few months," he said.

And while Cammarata has since been replaced by interim planning director and city engineer Jim Voeller, the Cheyenne City Council recently endorsed Cammarata's timeline, approving a resolution in which council members declared their desire to see Civic Center Commons proceed as originally planned.

PHASE TWO

But while the first phase of West Edge development will finally come to fruition this year, the city is not content to rest on its laurels.

Instead, it's asking for an additional $4 million in sales tax dollars in the upcoming sixth-penny election, tentatively scheduled for this May.

As was the case with the 2012 initiative, city planners do not have a precise idea of specific projects that the next ballot initiative may pay for. That would likely be determined just as it was the first time, by soliciting community input and working with stakeholders to figure out the best plan for the area.

With that said, however, Tom Mason, the director of the Cheyenne Metropolitan Planning Organization, said he expects the second phase of the West Edge to see a major pivot away from stormwater controls and toward economic redevelopment.

"Now that the (Pumphouse Park) wetlands is underway, and we hope the Civic Center Commons is underway with the funding in place to move forward, the next element of the West Edge the project management team thought we should focus on is the rail spur," Mason said.

He is referring to the railroad corridor stretching along Reed Avenue from Lincolnway in the south to 22nd Street in the north, where it bends and continues to the northwest.

A West Edge master land-use plan adopted by the city late last year identifies potential for a "Rail Line Sub-District" along the rail spur. The plan proposes the district be developed to provide amenities for mixed-use businesses, upper-story office and residential space, a pedestrian greenway and accessible parking.

"There are so many wonderful amenities up and down that rail corridor, from the old steam plant to the grain elevator and other warehouses," Mason said. "We feel if we develop a plan for this corridor, we need to prepare it so that we can figure out what the costs are and what are the options and things we could do in there."

If the first stormwater-related phase of the West Edge was about tilling the soil, then the second phase's emphasis on the rail corridor would be akin to planting the seeds – adding the needed infrastructure and quality-of-life amenities to set the stage for full-scale private investment to take root.

"With the first sixth-penny measure, we've addressed environmental, drainage and brownfields concerns, and now we're going to focus on the economic development of the West Edge by bringing this plan to a reality," Mason said. "But we have to do more detailed plans to know what it's going to cost, and surely the $4 million we're asking voters to approve this go-round isn't going to be enough – but it could be used as a match to other grants."

He noted that the first round of sixth-penny funding was leveraged into nearly triple the original amount, thanks to available grant funding and the city's aggressive pursuit of it. And once the city is able to see some of the first-phase projects through to completion, that could make it easier to secure additional grants with the second round of sixth-penny tax dollars.

"All the grants we've received up to now, they've all built off each other – grantors like the EPA, EDA, FEMA, they see others are approving the grants, and they're all on board," Mason said. "With this second phase, we see getting grants through the Federal Highway Administration. We see the type of grants that are being approved by the TIGER (Transportation Investment Generating Economic Recovery) program, and we think this could have a pretty good chance, since there's a big combination of different transportation modes, especially dealing with freight corridors, and the potential for economic development is huge too."

PRIVATE INVESTORS

For an idea of what sort of redevelopment is possible in the West Edge, one need look no further than to Dave Teubner and Dean Dexter of Warehouse Twenty One.

The two founded their business, a full-service marketing firm, in late 2006, well before the West Edge vision came together. In early 2007, Dexter and Teubner moved their business into a warehouse at 822 W. 23rd St., smack in the middle of the West Edge district.

In the years since then, the business has grown from three employees to 32 and has expanded its customer base well beyond Cheyenne's boundaries to include multinational firms like Lenovo. And as their business has grown, Dexter and Teubner have also reinvested in their building, buying it outright in 2010 and overhauling it into a hip workspace that blends modern furnishings with the building's original brick bones.

Now, the two are hoping to expand their operations by building a new combination office space and technical center several block south of their current location. That's the plan, anyway, but those plans will also depend, in part, on whether Cheyenne and its voters are willing to keep the West Edge project rolling along.

"We believe you do have to do infrastructure before you do sexy, so we're thrilled with the 26th Street Interceptor, the Pumphouse Park and the Civic Center Commons," Teubner said. "We're not disappointed, even, by the pace of it, necessarily. But each time the Civic Center Commons gets in trouble because of the planning and engineering department squabbles, our new investment is the one we're holding off on."

While they were among the first new businesses to develop in the West Edge, Dexter and Teubner believe they'll be far from the last, provided second-phase plans for the rail spur go through. While the possibilities are endless, the two are particularly excited about the prospect of getting more high-speed fiber-optic cable run through the corridor, which would provide a major boon to any burgeoning tech sector.

"Inclusion of fiber, that's almost the top priority; that and having really nice open space," Dexter said. "I have to believe any other tech business is going to feel the same way. The harsh reality is that with this business ... the type of people we want highly value open space, walking paths, places they can get out and be outside."

While many of Warehouse Twenty One's employees are Cheyenne natives, Teubner said he's proud to say his last seven hires have all been from out of the area, lured both by what his business does and what Cheyenne has to offer.

"They're young, talented, top of their industry, and they're in the industry of technology and design," he said. In other words, just the sort of economic diversification Cheyenne's leaders have long been talking about.

And while they've been less visible, other private investors have also been taking steps toward redevelopment along Cheyenne's rail spur. For example, Chet Halvorson and Craig Riley of West Edge Development Co. have continued to work with engineers, architects and the Wyoming Department of Environmental Quality on plans to renovate the former steam plant at 800 W. 17th St.

Dexter and Teubner said they've also been in contact with an investor who recently bought the old grain elevator at the northwest corner of Reed Avenue and 21st Street with plans to breathe life back into that building.

"These are local people. These aren't prospectors from outside, and these aren't cheap transactions," Teubner said. "These are local investments being made, and I think a lot of people are bullish about it, from our perspective."

"We're talking $15 million to $25 million of private investment that's on the precipice, that's ready to come in with this additional phase of West Edge development, and that's just what we know about," Dexter added. "I look at what they're asking for for sixth-penny investment and, man, that's nothing. The city would be stupid not to do it."

North Dakota Allegedly Asked Wyoming For Riot Squads To Put Down 'Civil Unrest' At Pipeline Protests (The Daily Caller News Foundation)

By Chris White

North Dakota's former Republican governor asked Wyoming Highway Patrol to send riot squads and cops with active shooter training to suppress violent anti-pipeline protests, according to documents obtained by a media advocacy group.

Former Gov. Jack Dalrymple asked Wisconsin for help dealing with "civil unrest" and "criminal activities related to opposition of the Dakota Access Pipeline (DAPL) project," according to public records communications obtained by Muck Rock.

The North Dakota Republican asked his Wyoming counterpart in a Emergency Management Assistance Compact (EMAC) request to send 40 officers to Morton County for assistance quelling what he deemed increasingly violent protests. An EMAC allows states to share valuable resources during emergency situations.

Dalrymple also a 40/37 mm chemical munitions launcher, which could have been used to discharge tear gas on anti-DAPL demonstrators. The Morton County sheriff's department used tear gas and high-pressured water hoses during November protests to disperse 400 "very aggressive" activists.

Anti-DAPL and Standing Rock Sioux members believe the line's construction would trample on tribal lands and potentially poison Lake Oahe. The pipeline's opponents continue to say the protests are largely peaceful and nonviolent.

Those responding to the governor's requests would be assigned to reconnaissance work, function as riot police otherwise known as mobile field force, or participate in Immediate Action Team (IAC), Dalrymple's office told Muck Rock. IACs are typically used in active shooter emergencies.

The Wyoming Highway Patrol has not responded to The Daily Caller News Foundation's repeated requests for comments, and The DCNF has been unable to reach Dalrymple to corroborate Muck Rock's reporting.

Law enforcement officers believe the federal government has purposely held back directing resources and crowd control support to the campsite. Some believe the Army Corps of Engineer's decision in December to reject the previously-approved DAPL came as a result of "backroom dealings" within the Obama administration.

Center for Individual Freedom in Virginia, for instance, filed a Freedom of Information Act request last week against Jodi Gillette — the sister of the Standing Rock's chairman, Dave Archambault II — seeking all communications between her and President Barack Obama regarding DAPL. Gillette was a policy adviser for the Obama administration from 2012 to 2015. Lee is trying to determine if Archambault had any communications about the project with Gillette prior to the Army Corps of Engineers' decision to halt construction pending an environmental impact review.

The National Sheriffs' Association suspected Gillette and Obama colluded to help energize the protesters. The group complained in October that Gillette's ties to the administration and the tribe helped prevent federal officials from helping control unruly protests.

Energy Transfer Partners, the company behind the DAPL, expects the line to create up to 12,000 construction jobs and provide millions in state and local revenues during the construction phase. The company's bottom line is taking a hit every day the project is offline — it is losing $20 million every day it is delayed.

FEMA-RELATED STORIES:

The First Images from the New Weather Satellite Just Arrived, And They're Absolutely Incredible (Washington Post)

By Angela Fritz

Washington Post, January 23, 2017

The satellite formerly known as GOES-R (so Prince, right?) has transmitted its first images back to Earth, and they are flooring. From the details on the face of the moon to the incredible resolution of cumulus over the Caribbean, these first pixels portend a sunny future for NOAA's new GOES-16 satellite.

Meteorologists are drooling. This release coincides with the first day of the American Meteorological Society's annual meeting. There are thousands of weather geeks in Seattle this week, and — at least on Monday — they're all looking at this next-gen satellite imagery.

As we've written before, GOES-R satellite has six instruments, two of which are weather-related. The Advanced Baseline Imager, developed by Harris Corp., is the "camera" that looks down on Earth. The pictures it sends back will be clearer and more detailed than what's created by the current satellites.

The ABI can scan half the Earth — or the "full disk" — in five minutes. If forecasters want to home in on an area of severe weather, it can scan that region every 30 seconds. Weather radars can't even scan faster than six minutes.

The other weather instrument, the Global Lightning Mapper, will continuously track and transmit all lightning strikes across North America and its surrounding oceans. Developed by Lockheed, it can detect the changes in light on Earth and thus the rate and intensity of lightning in thunderstorms and hurricanes.

GOES-16 is expected to go operational in November, approximately one year after its launch.

(Sample images can be seen at https://weather.com/news/weather/news/goes-16-first-images-noaa-nasa)

From: Greff, Stacie
Sent: 15 Feb 2017 11:30:42 -0500
To: R8 Division Directors
Subject: FW: Clip: DAPL

Fysa

Sent from my iFEMA mobile device.

From: DeFelice, Jerome
Sent: Wednesday, February 15, 2017 3:33:20 PM
To: Greff, Stacie; Dombrowski, Justin; Floyd, Megan; Garcia, Carol; Stephenson, James R
Subject: Clip: DAPL

Article by Bismarck AP reporter. Appeared in this morning's Denver Post and other outlets across the region. He's been doing these sort of updates periodically.

A guide to recent events in the Dakota Access pipeline battle

North Dakota says law enforcement response to pipeline protests has cost taxpayers $33 million so far.

-
-



Tom Stromme, The Bismarck Tribune

This aerial photo shows a site where the final phase of the Dakota Access Pipeline will take place with boring equipment routing the pipeline underground and across Lake Oahe to connect with the existing pipeline in Emmons County, Feb. 13, 2017, in Cannon Ball, N.D.

By The Associated Press

PUBLISHED: February 14, 2017 at 6:02 pm | UPDATED: February 14, 2017 at 6:31 pm

By Blake Nicholson, *The Associated Press*

BISMARCK, N.D. — The disputed four-state Dakota Access pipeline could be moving oil in as little as a month, though opponents are promising to continue fighting the project. Here's a look at recent developments, and what's to come:

How far along is construction of the Dakota Access pipeline?

Texas-based developer Energy Transfer Partners on Feb. 8 received approval from the Army to lay pipe under a Missouri River reservoir in North Dakota — the last remaining section of the 1,200-mile pipeline that would move North Dakota oil to Illinois. Drilling work at Lake Oahe began immediately. The development was prompted by President Donald Trump, who pushed the Army to advance construction.

ETP spokeswoman Vicki Granado initially said the pipeline would be operational within three months. However, company lawyer David Debold on Monday suggested it could be ready for oil in as little as 30 days. Granado credited the efficiency of the company's equipment and crews, but didn't elaborate.

What's the latest ruling in the court cases involving the Standing Rock and Cheyenne River Sioux?

The Standing Rock and Cheyenne River Sioux say the $3.8 billion pipeline threatens their drinking water, cultural sites and ability to practice their religion, which depends on pure water. They asked U.S. District Judge James Boasberg to temporarily halt construction at Lake Oahe until their legal challenges are resolved.

Boasberg on Monday refused, though he scheduled a Feb. 27 hearing on a request by Cheyenne River to force the Army to withdraw its permission for the lake crossing.

Tom Stromme, The Bismarck Tribune via AP, file

A section of the Dakota Access Pipeline under construction near the town of St. Anthony in Morton County, N.D., on June 29, 2016.

A Standing Rock attorney plans to ask Boasberg to rule on the tribe's claims before pipeline operations begin.

The Oglala and Yankton Sioux tribes in South Dakota have filed similar legal challenges, the Yankton tribe in September and the Oglala Sioux on Saturday.

In a separate lawsuit, pipeline opponents suing police for allegedly using excessive force are appealing a federal judge's recent ruling allowing authorities to continue using tactics such as tear gas and rubber bullets for crowd dispersal.

Are there still people protesting construction of the pipeline?

Law enforcement records show that such tactics haven't been used since Jan. 19, at a blockaded highway bridge in the area of a protest encampment on federal land in southern North Dakota.

The camp has at times housed thousands of protesters who have often clashed with police. It's now home to only a few hundred people and is being cleaned up in advance of spring flooding and a Feb. 22 closing date set by the Army Corps of Engineers.

Many protesters don't plan to leave the area. Cheyenne River chairman Harold Frazier says that tribe is leasing about 25 acres on the Standing Rock Reservation for camps. American Indian activist Chase Iron Eyes also is encouraging a continued presence in the area.

Is the bridge that was damaged by fire open to traffic?

The bridge on U.S. 1806 has been closed since it was damaged by fires Oct. 28. Officials have been working in recent weeks to reopen it in the interest of easing tensions. Guardrail repairs were completed Friday and temporary asphalt patching was finished Monday, at a total cost of about $10,000, according to Department of Transportation spokeswoman Jamie Olson. However, it won't be reopened until authorities determine tensions have eased enough to warrant it, said Morton County sheriff's spokesman Rob Keller.

The Transportation Department on Monday did reopen 8 miles of an 18-mile closed stretch of the highway, "allowing farmers, ranchers, people who have business down there to have more freedom of travel," Keller said.

What's the price tag for law enforcement related to the Dakota Access pipeline protest?

Law enforcement continues to maintain a heavy presence in the area despite the fading of protests.

New figures from the state show the law enforcement response over the past half-year has involved officers from 10 states, resulted in 705 arrests and cost taxpayers $33 million — $25 million for officer pay, $3.6 million for travel and lodging, and $4.3 million for equipment and supplies.

The data show that 92 percent of the 660 people who have been arrested are not from North Dakota.

Jerry DeFelice
External Affairs
FEMA Region VIII, Denver
303-235-4948
303-941-5088 cell
Jerome.DeFelice@fema.dhs.gov



From: Depalo, Lee
Sent: 10 Feb 2017 19:31:13 +0000
To: Nancy Dragani (nancy.dragani@fema.dhs.gov)
Cc: Deal, Timothy
Subject: FW: Notes from DAPL call today
Attachments: ND DAPL Conference Call Notes.docx

Nancy, notes from the call that ESF-13 mentioned in today's SA meeting are attached.

Lee

Lee dePalo

Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990

FEMA

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of the Freedom of Information and Privacy Act

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of the Freedom of Information and Privacy Act

From: Depalo, Lee
Sent: 24 Apr 2017 20:21:28 +0000
To: Rivera, Luisa
Cc: Dick, Jennifer
Subject: FW: ESF13 info and contact info

And the other

Lee dePalo

Response Division Director
FEMA Region 8
Cell: 720-456-9616
Regional Office: 303-235-4990

FEMA

From: Wilz, Greg M. [mailto:(b)(6)@nd.gov]
Sent: Thursday, September 15, 2016 12:46 PM
To: (b)(6)@usdoj.gov; Gerhart, Col. Michael T. (b)(6)@nd.gov>
Cc: (b)(6)@usdoj.gov; Depalo, Lee <(b)(6)@fema.dhs.gov>; Dragani, Nancy <nancy.dragani@fema.dhs.gov>
Subject: RE: ESF13 info and contact info

Thanks Alan for the info. As far as the SHGP grants are concerned, we are a marty minimum state so we don't receive much. Unless there is chance of new or additional/supplemental funding we would be robbing Peter to pay Paul and both are already on the front line of response. Reprograming does not get us much relief.

Greg

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of the Freedom of Information and Privacy Act

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of the Freedom of Information and Privacy Act

From: Depalo, Lee
Sent: 24 Apr 2017 20:21:11 +0000
To: Rivera, Luisa
Cc: Dick, Jennifer
Subject: FW: ESF13 info and contact info

Here is one

Lee dePalo

Response Division Director
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Cell: 720-456-9616
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Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

Page 1995

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

Page 1996

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

Page 1997

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

Reynolds, Dana

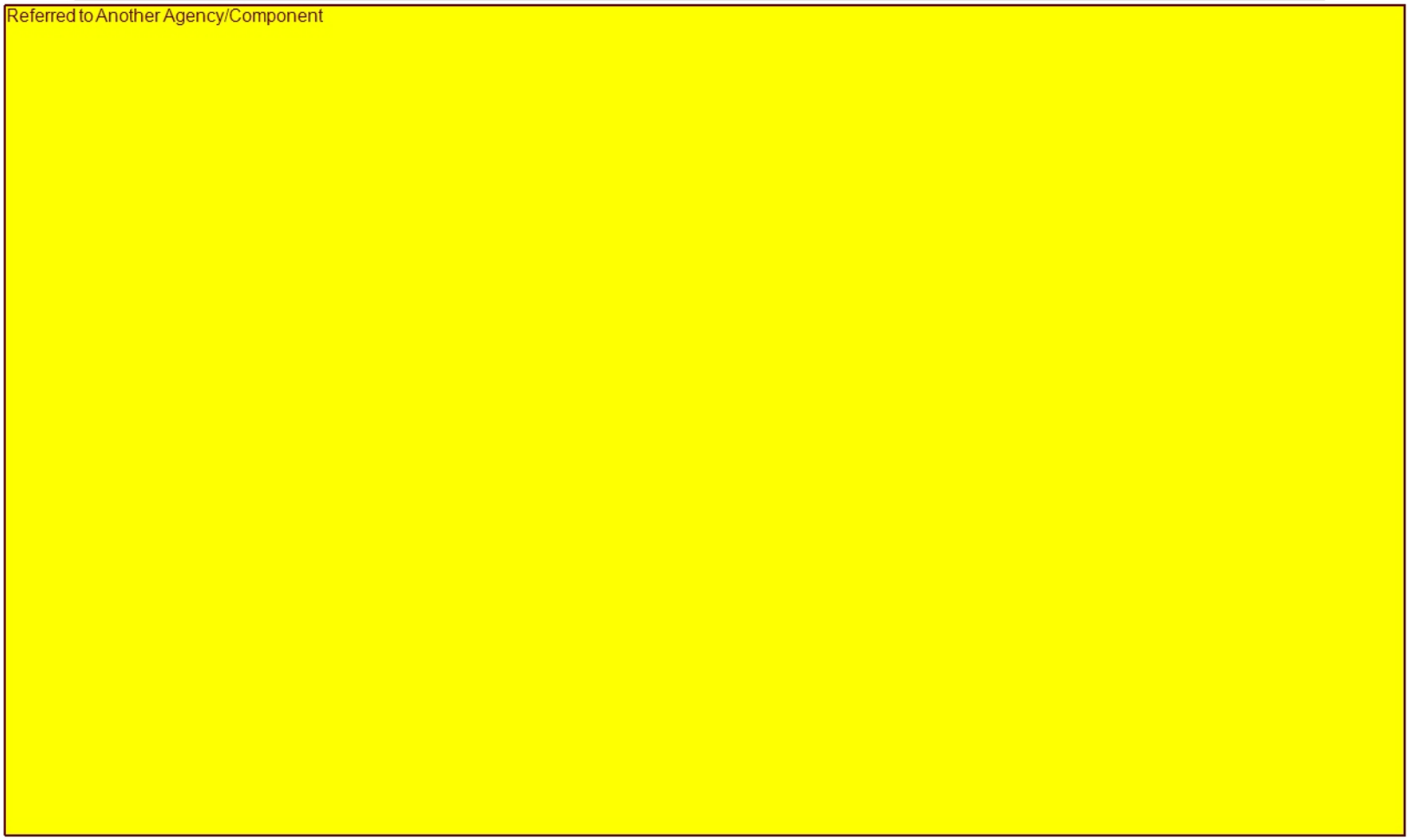
From: Reynolds, Dana
Sent: Thursday, February 09, 2017 4:33 PM
To: 'Alan Colon'
Subject: RE: Notes from DAPL call today

Thanks for sharing. At first blush, I'm curious about:

a. Whether ND has looked at EMAC to bring in local/state LE from across the region, or do they not have the budget
b. Activate National Guard for Security / Access Control
c. Mobilize contingent of ND State Patrol for extended protest operations (State Patrols are sometimes paid out of transportation funds)
d. Corrections folks from State prisons

Anyway, just thinking out loud.

Referred to Another Agency/Component





FEMA

Daily Operations Briefing

Friday, April 28, 2017

8:30 a.m. EDT

Significant Activity – Apr 27-28

Significant Events: None

Significant Weather:

- Severe thunderstorms and flash flooding – Southern Plains to Ohio Valley
- Rain and thunderstorms – Southwest to Northeast and Mid-Atlantic
- Heavy snow possible – Northern Plains to Southern Rockies
- Rain and snow – Northern Intermountain to Southwest and Upper Mississippi Valley
- Critical/Elevated Fire Weather areas – CA, NV, AZ, NM, TX & FL
- Red Flag Warnings – AZ & NV
- Space Weather:
  - Past 24 hours: None observed
  - Next 24 hours: None predicted

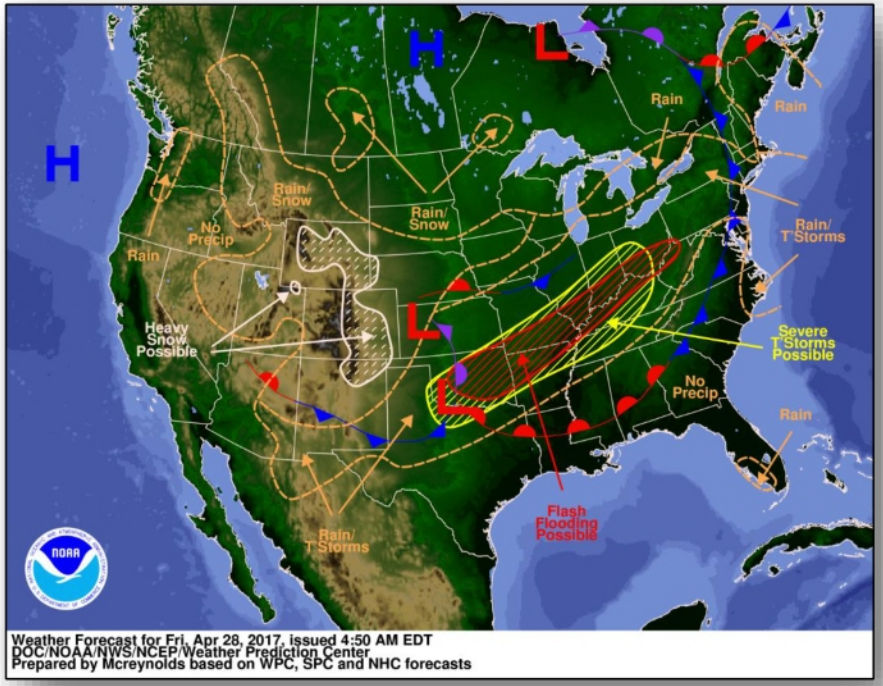
Tropical Activity: No activity threatening U.S. interests

Earthquake Activity: No significant activity

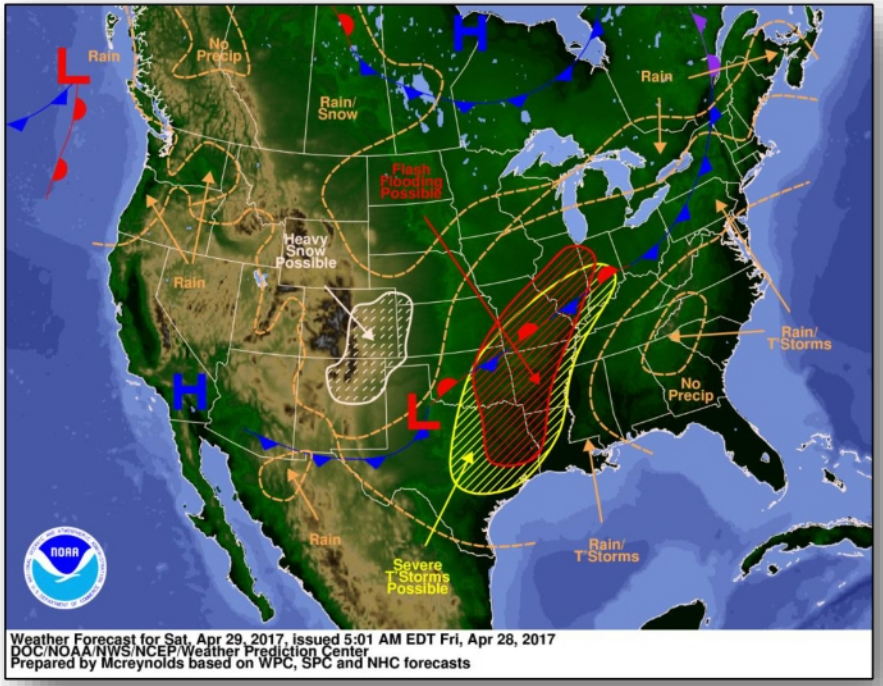
Declaration Activity: None

National Weather Forecast

FEMA



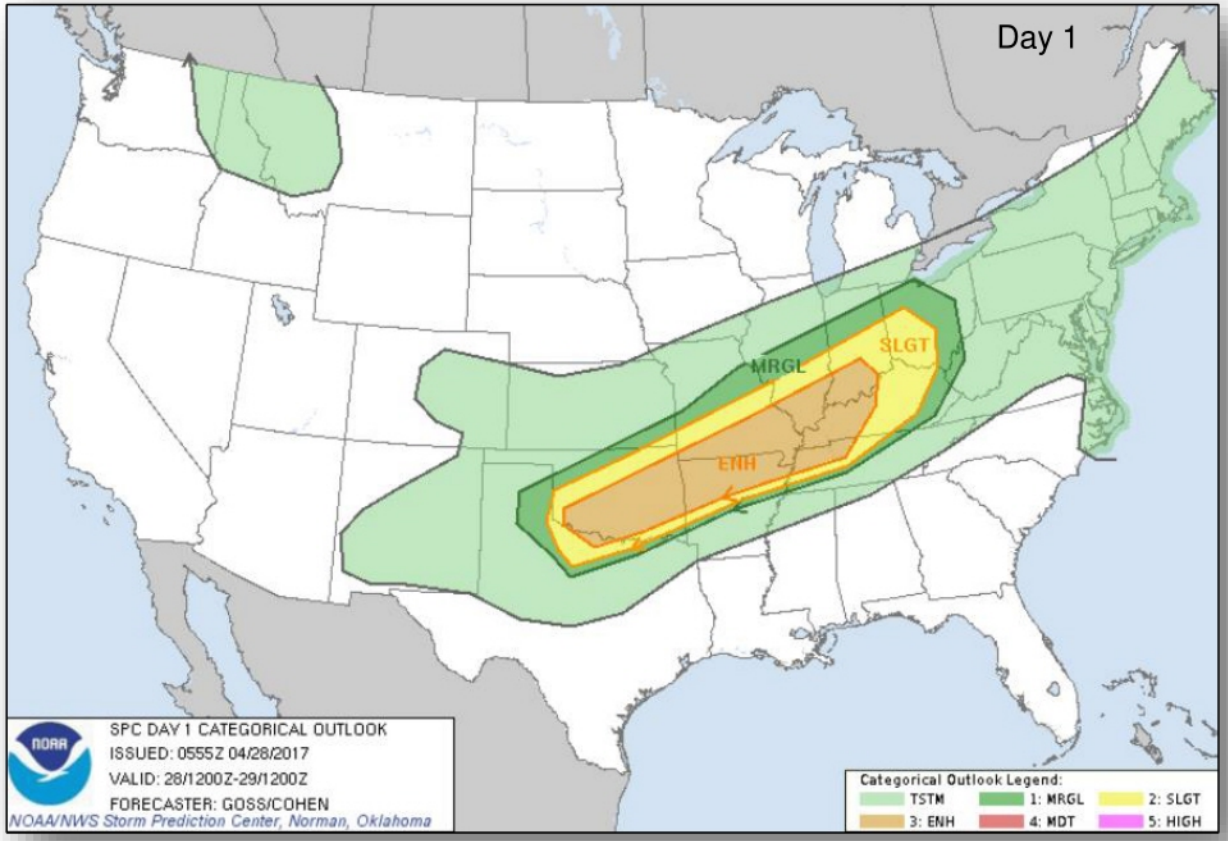
Today

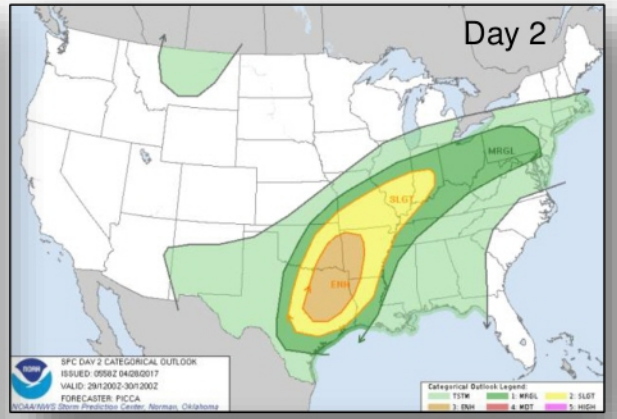


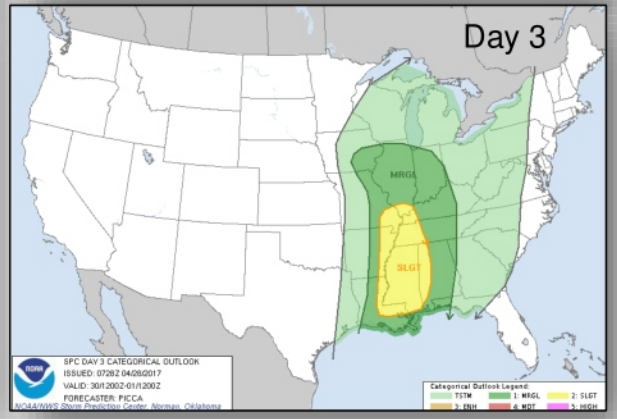
Tomorrow

Severe Weather Outlook – Days 1-3

FEMA

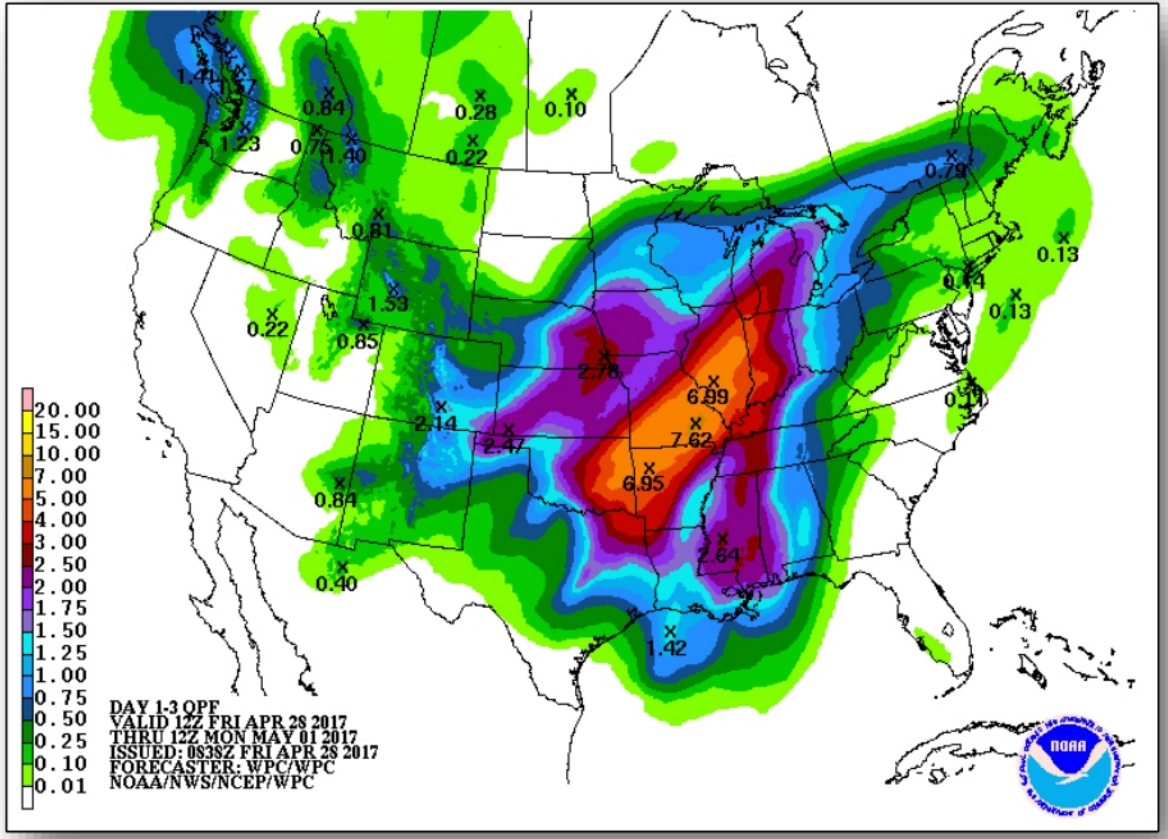


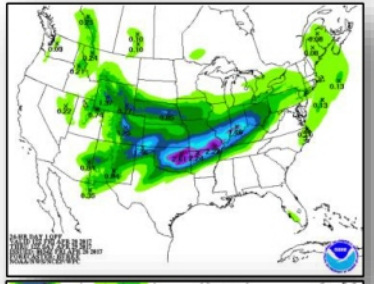




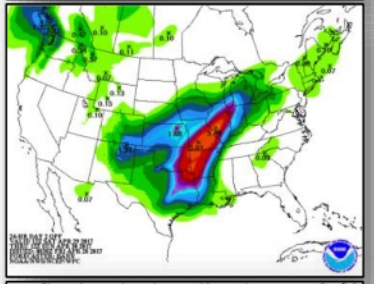
Precipitation Forecast – Days 1-3

FEMA

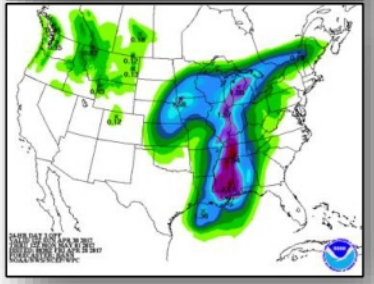




Day 1



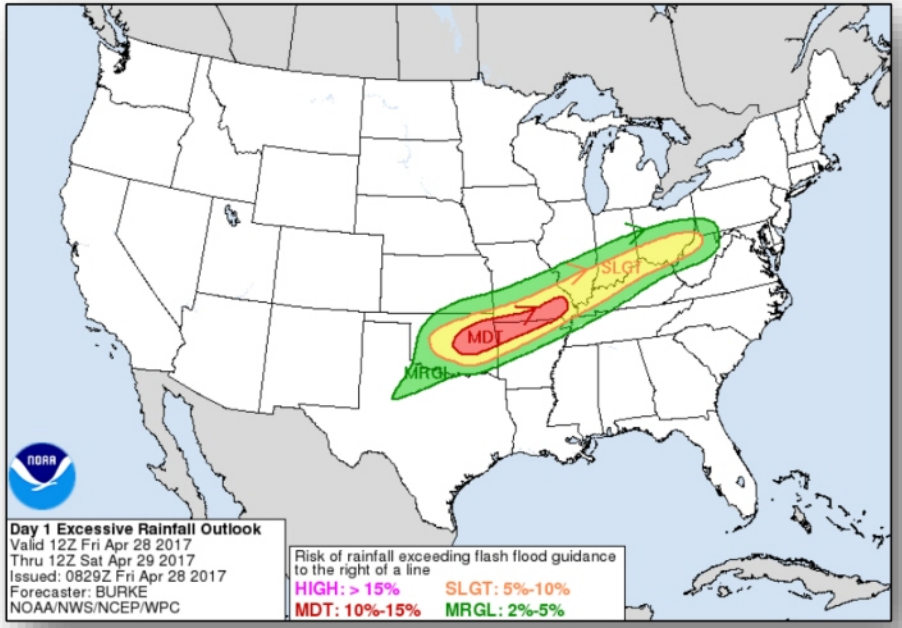
Day 2



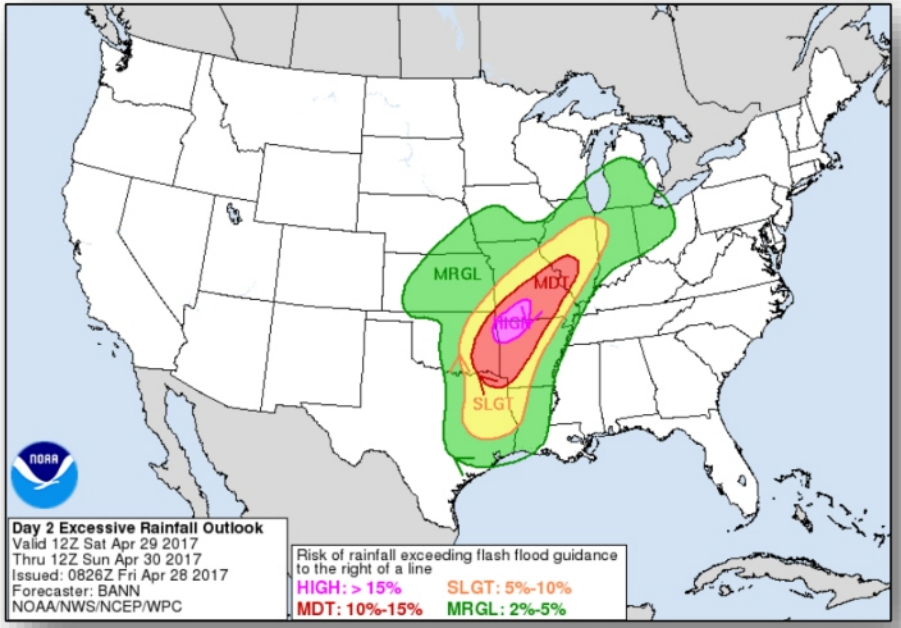
Day 3

Flash Flood Risk

FEMA



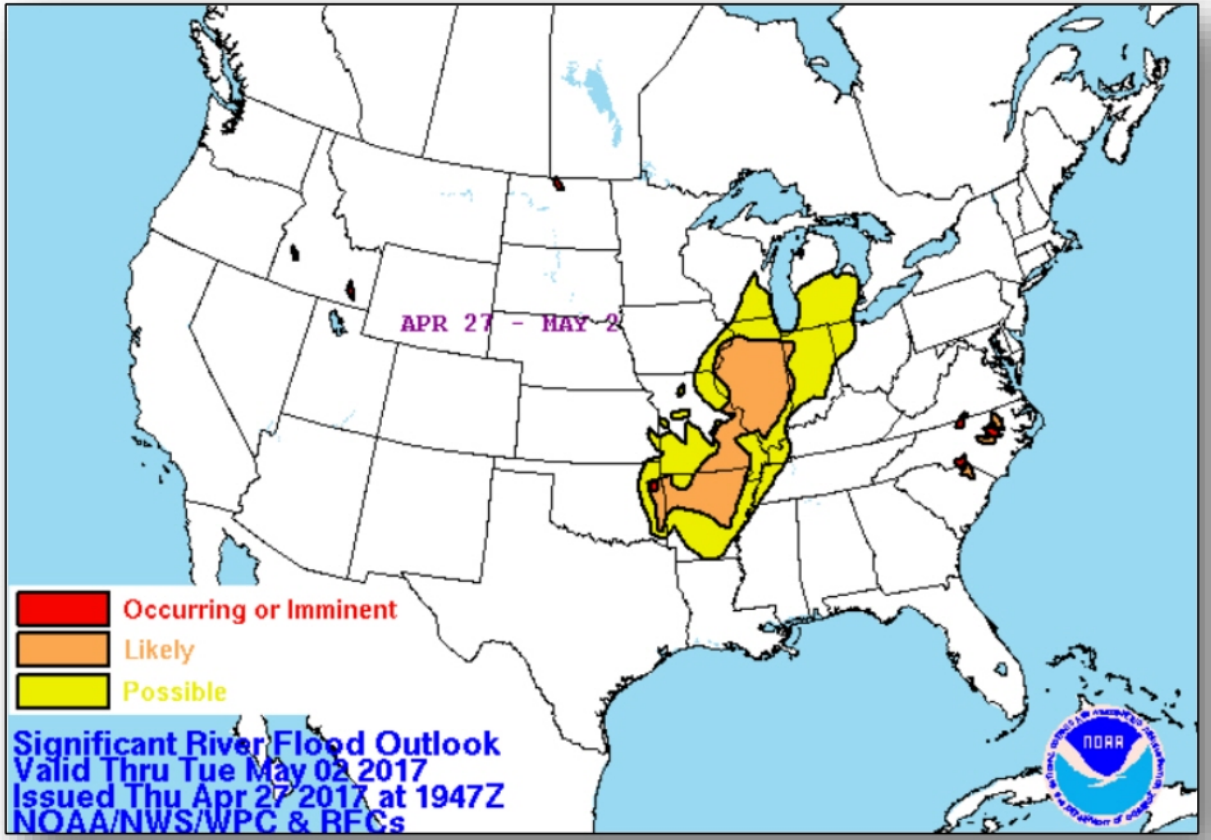
Friday



Saturday

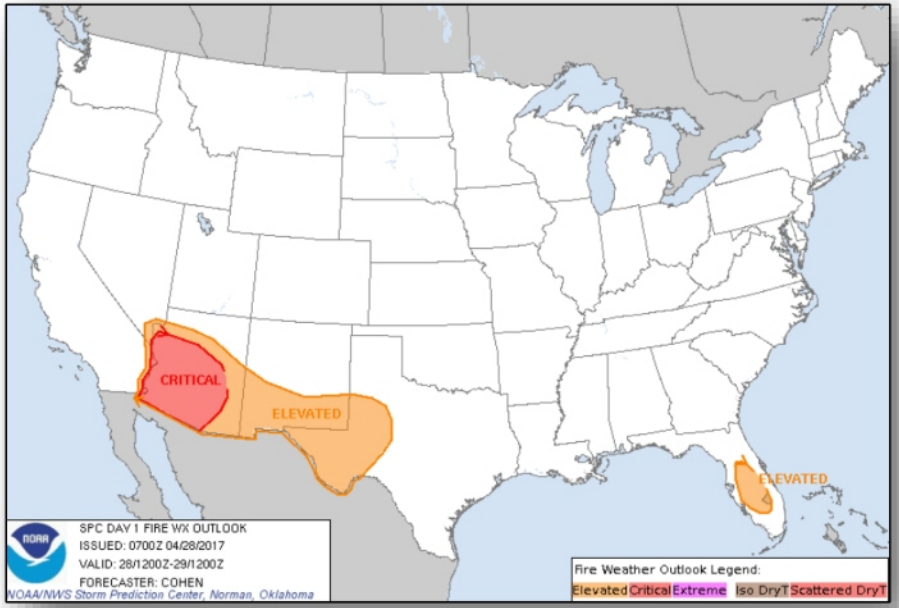
Significant River Flood Outlook

FEMA

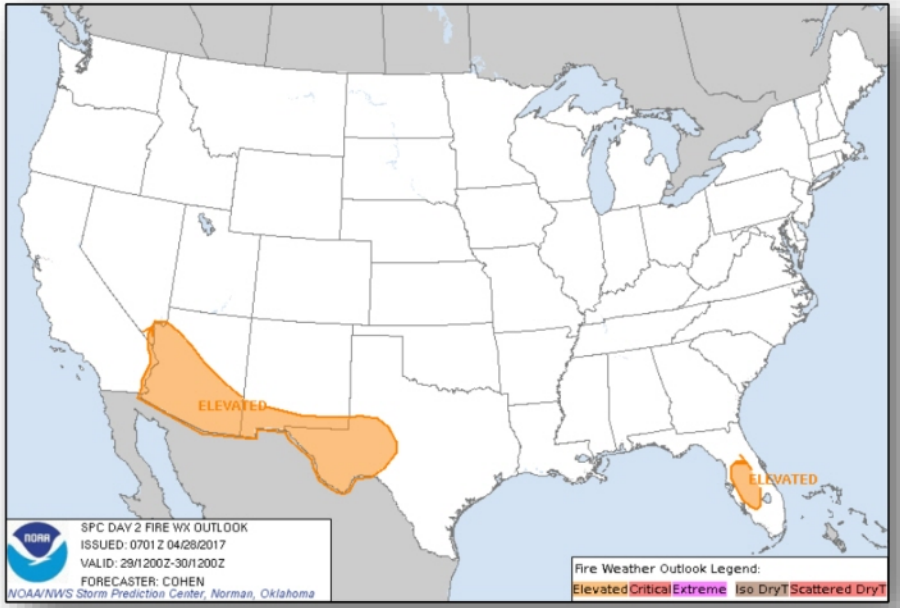


Fire Weather Outlook

FEMA



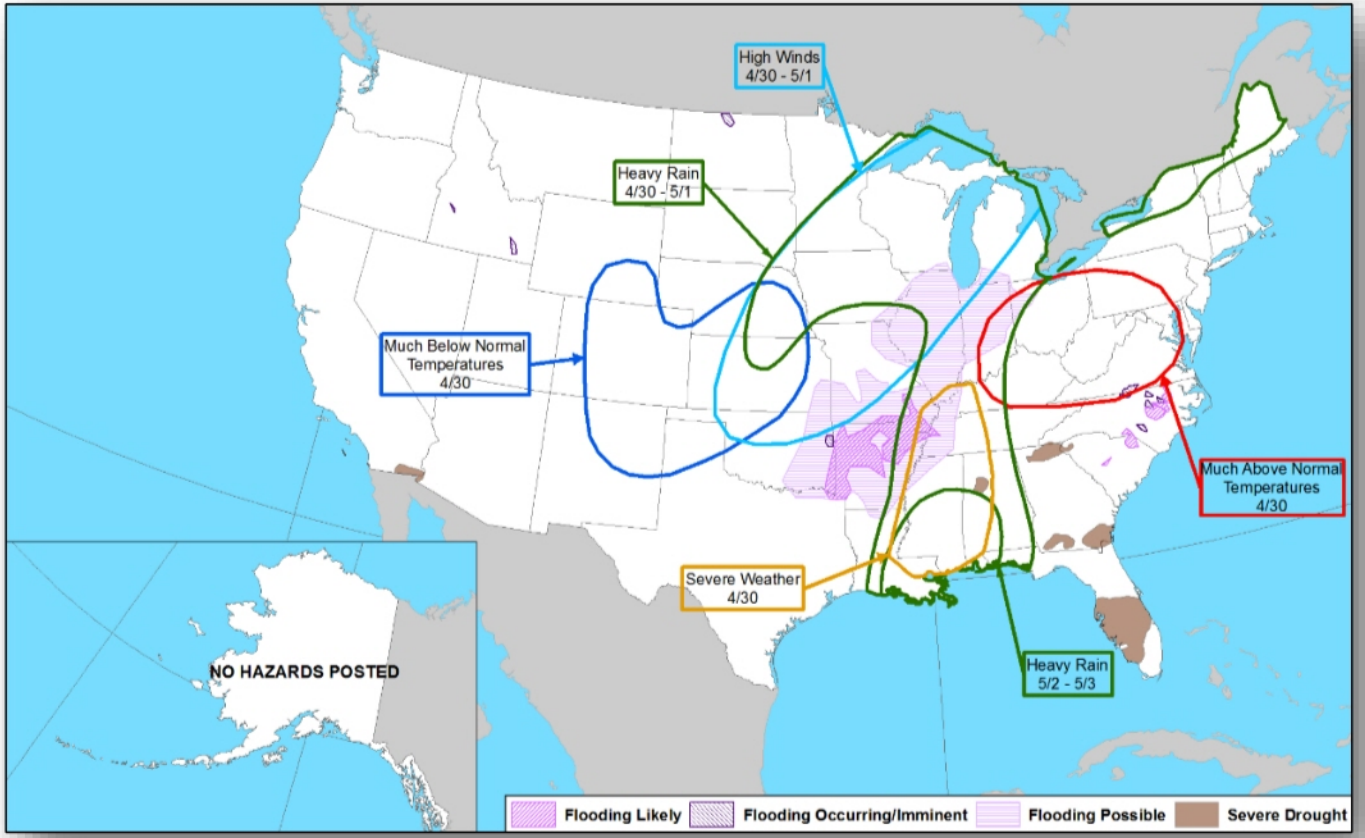
Today



Tomorrow

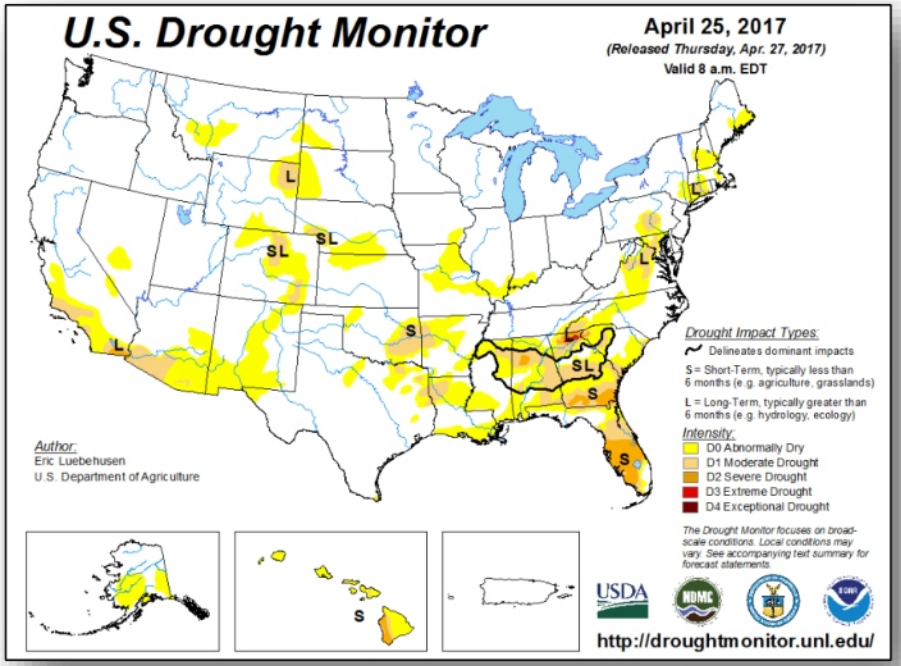
Hazards Outlook – April 30 – May 4

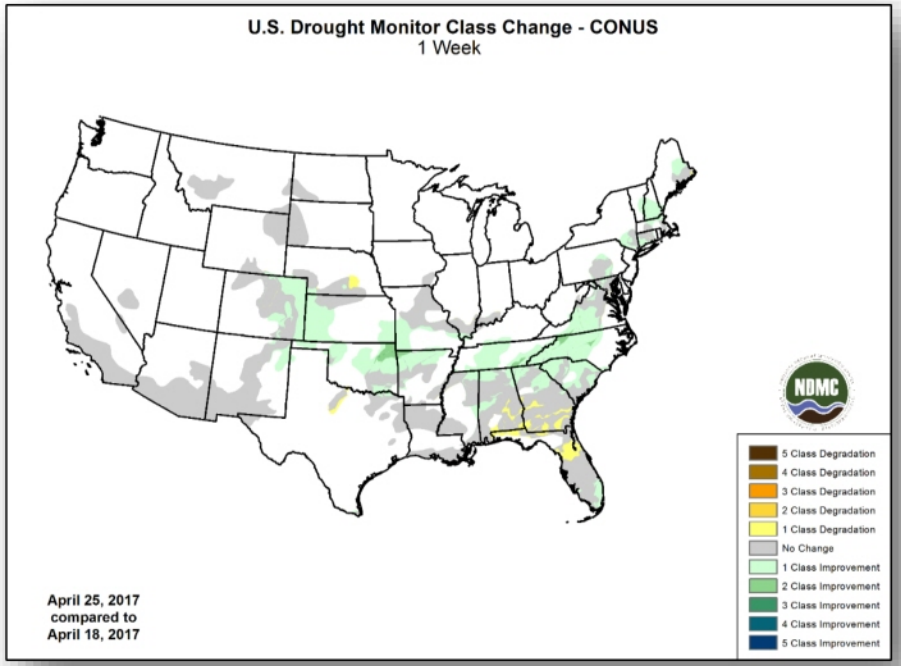
FEMA



U.S. Drought Monitor

FEMA





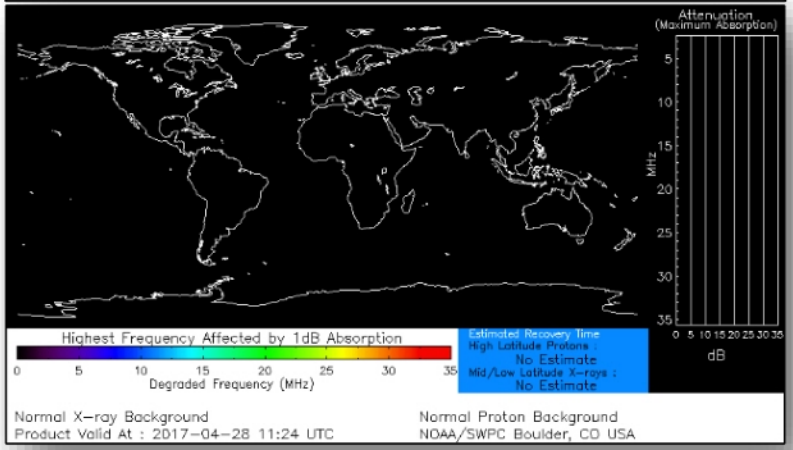
Space Weather

FEMA

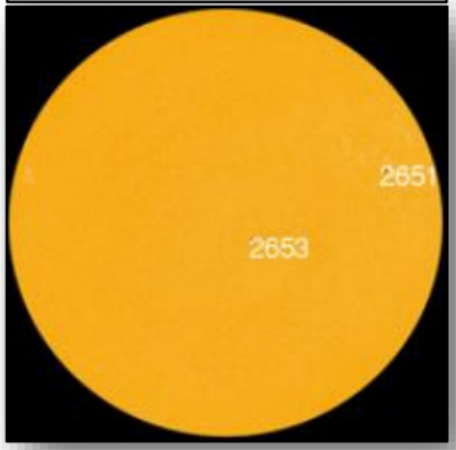
	Space Weather Activity	Geomagnetic Storms	Solar Radiation	Radio Blackouts
Past 24 Hours	None	None	None	None
Next 24 Hours	None	None	None	None

For further information on NOAA Space Weather Scales refer to http://www.swpc.noaa.gov/noaa-scales-explanation

HF Communication Impact



Sunspot Activity



Joint Preliminary Damage Assessments

FEMA

Region	State / Location	Event	IA/PA	Number of Counties		Start – End
				Requested	Completed	
II	New York	Winter Storm Event March 13-15, 2017	IA	0	0	N/A
			PA	30	11	Mar 30 – TBD
VIII	North Dakota	Dakota Access Pipeline Controversy August 10, 2016-March 31, 2017	IA	0	0	N/A
			PA	1	1	Apr 25 – Apr 26

Disaster Requests & Declarations

FEMA

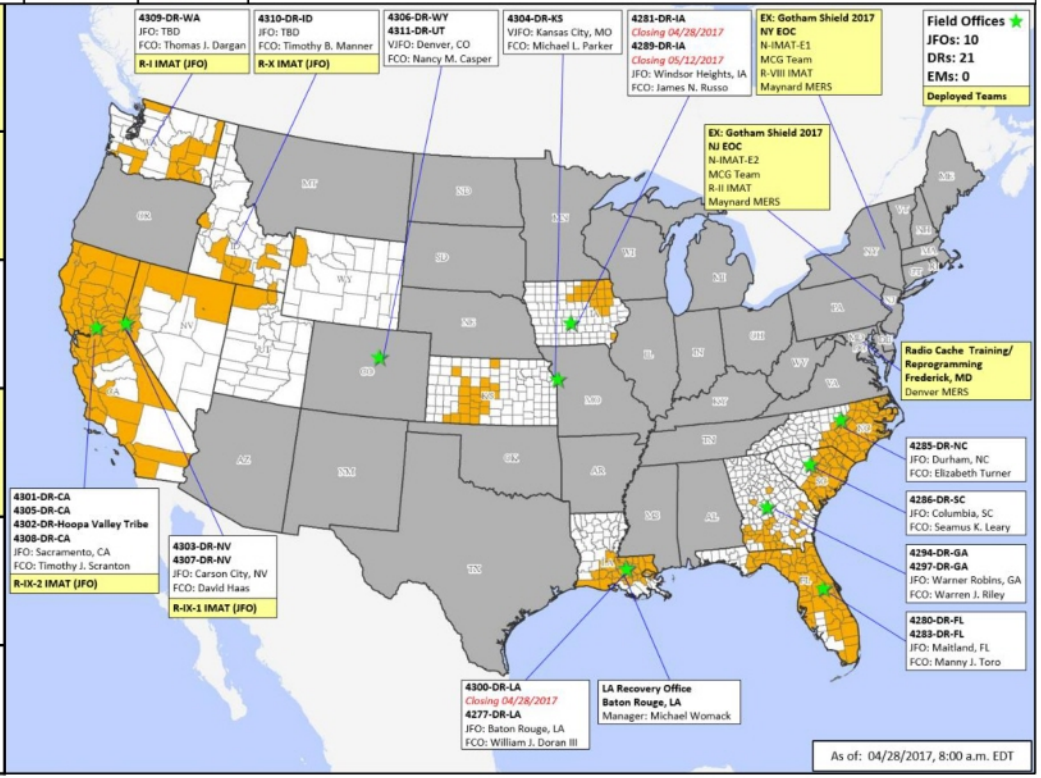
Declaration Requests in Process		Requests APPROVED (since last report)	Requests DENIED (since last report)
3	Date Requested	0	0
OR – DR Severe Winter Storms, Flooding, Landslides, and Mudslides	March 9, 2017		
Resighini Rancheria Tribe – DR Flooding	April 3, 2017		
ID – DR (Appeal) Severe Winter Storms and Snowstorm	April 19, 2017		

Readiness – Deployable Teams and Assets

FEMA

Resource	Force Strength	Available		Deployed	Other	Cadres with less than 25% availability
Total Workforce	10,238	5,939	58%	2,971	1,328	Equal Rights

National IMATs*	East 1:	B-2
	East 2:	B-48
	West:	Charlie
Regional IMATs	Assigned:	13
	Available:	7
	PMC / NMC:	0
	Deployed:	6
US&R	Assigned:	28
	Available:	27
	PMC / NMC:	1
	Deployed:	0
MERS	Assigned:	36
	Available:	32
	NMC:	1
	Deployed:	3
FCO	Assigned:	36
	Available:	13
	PMC / NMC:	5
	Deployed:	18
FDRC	Assigned:	11
	Available:	5
	PMC / NMC:	3
	Deployed:	3



***B-2 Status:** Assemble ≤ 2-hrs, On Site ≤ 18-hrs; **B-48 Status:** Assemble and deploy ≤ 48hrs; **Charlie Status:** No team assemble time requirement

Readiness – Activation Teams

Resource	Status	Total	Status	Activated Team	Activation Level	Activation Times	Reason/Comments
NWC		5	Not Activated				
NRCC		2	Not Activated				NRCS Blue Team – April primary ENDEX: Gotham Shield 2017
HLT		1	Not Activated				Deactivated for the season
RWCs/MOCs		10	Not Activated				
RRCCs		10	Not Activated				

Back-up Regions (April 24 – May 1): **V, VIII & III**



FEMA

FEMA's mission is to support our citizens and first responders to ensure that as a nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards.

FEMA Daily Situational Awareness Report
Thursday, April 27, 2017

FEMA Headquarters

NRCC Status: Activated (Exercise Gotham Shield 2017 – 8:00 a.m. to 6:00 p.m. EDT); **NWC**: Steady State (24/7)
N-IMAT East 1: B-2 *(Assemble ≤ 2hrs, On Site ≤ 18hrs)*
N-IMAT East 2: B-48 *(Assemble and deploy < 48hrs)*
N-IMAT West: Charlie *(No team assemble time requirement)*
Hurricane Liaison Team: Not Activated
JFO Activity: 10 JFOs; 21 Major Disaster Declarations; 0 Emergency Declarations

Region I

RRCC Status: Not Activated; **Watch:** Maynard MOC (24/7)
- IMAT: Deployed (FEMA-4309-DR-WA)

Current Situation: No significant activity
Ongoing PDAs: None
Open Disasters / Emergencies (DR / EM): None

Region II

RRCC Status: Not Activated; **Watch:** Steady State (24/7)
- IMAT: Green / Available – Deployed ISO Exercise Gotham Shield 2017 (EOC in Trenton, NJ)

Current Situation: Local state of emergency remains in effect for Niagara, Orleans, and Wayne Counties due to possible Lake Ontario flooding; no request for FEMA assistance
Ongoing PDAs:

State	Event / Date	IA / PA	# of Counties		Start-End Date
			Requested	Completed	
NY	Winter Storm Event	IA	0	0	N/A
	March 13-15, 2017	PA	30	11	3/30-TBD

Open Disasters / Emergencies (DR / EM): None

Region III

RRCC Status: Not Activated; **Watch:** Steady State (24/7)
- IMAT: Green / Available

Current Situation: No significant activity
Ongoing PDAs: None
Open Disasters / Emergencies (DR / EM): None

Region IV

RRCC Status: Not Activated; **Watch:** Steady State (24/7)
- IMAT-1: Green / Available
- IMAT-2: Green / Available

Current Situation:
- FL EOC at Partial Activation (Wildfires)
- Slight risk for severe thunderstorms expected over parts of AL, GA and SC

Ongoing PDAs: None
Open Disasters / Emergencies (DR / EM):
FEMA-4280-DR-FL
FEMA-4283-DR-FL
FEMA-4285-DR-NC
FEMA-4286-DR-SC
FEMA-4294-DR-GA
FEMA-4297-DR-GA

Region V
RRCC Status: Not Activated; **Watch:** Steady State (24/7)
- IMAT: Green / Available

Current Situation: MI EOC at Partial Activation (Flint water emergency)
Ongoing PDAs: None
Open Disasters / Emergencies (DR / EM): None

Region VI
RRCC Status: Not Activated; **Watch:** Steady State (M-F); Denton MOC (nights and weekends)
- IMAT-1: Green / Available
- IMAT-2: Green / Available

Current Situation: Critical fire weather conditions across southern AZ and southwestern TX
Ongoing PDAs: None
Open Disasters / Emergencies (DR / EM):
FEMA-4277-DR-LA
FEMA-4300-DR-LA *(closing April 28)*

Region VII
RRCC Status: Not Activated; **Watch:** Steady State (24/7)
- IMAT: Green / Available

Current Situation: No significant activity
Ongoing PDAs: None
Open Disasters / Emergencies (DR / EM):
FEMA-4281-DR-IA *(closing April 28)*
FEMA-4289-DR-IA *(closing May 12)*
FEMA-4304-DR-KS

Region VIII
RRCC Status: Not Activated; **Watch:** Denver MOC (24/7)
- IMAT: Deployed ISO Exercise Gotham Shield 2017 (EOC in Albany, NY)

Current Situation: UT EOC Monitoring (flooding)
Ongoing PDAs:

State	Event / Date	IA / PA	# of Counties		Start-End Date
			Requested	Completed	
ND	Dakota Access Pipeline Controversy August 10, 2016 – March 31, 2017	IA	0	0	N/A
		PA	1	1	4/25-4/26

Open Disasters / Emergencies (DR / EM):
FEMA-4306-DR-WY
FEMA-4311-DR-UT

Region IX

RRCC Status: Not Activated; **Watch:** Steady State (24/7)

- IMAT-1: Deployed (FEMA-4303-DR-NV)
- IMAT-2: Deployed (FEMA-4301-DR-CA, 4302-DR-HVT, 4305-DR-CA, 4308-DR-CA)

Current Situation:

- NV EOC Partial Activation (Flooding)
- Critical fire weather conditions across southeastern AZ

Ongoing PDAs: None

Open Disasters / Emergencies (DR / EM):

FEMA-4301-DR-CA
FEMA-4302-DR-HVT
FEMA-4303-DR-NV
FEMA-4305-DR-CA
FEMA-4307-DR-NV
FEMA-4308-DR-CA

Region X

RRCC Status: Not Activated; **Watch:** Bothell MOC (24/7)

- IMAT: Deployed (FEMA-4310-DR-ID)

Current Situation: No significant activity

Ongoing PDAs: None

Open Disasters / Emergencies (DR / EM):

FEMA-4309-DR-ID
FEMA-4310-DR-WA

FEMA National Situation Report

As of 3:00 a.m. EDT Friday, April 28, 2017

Table Of Contents

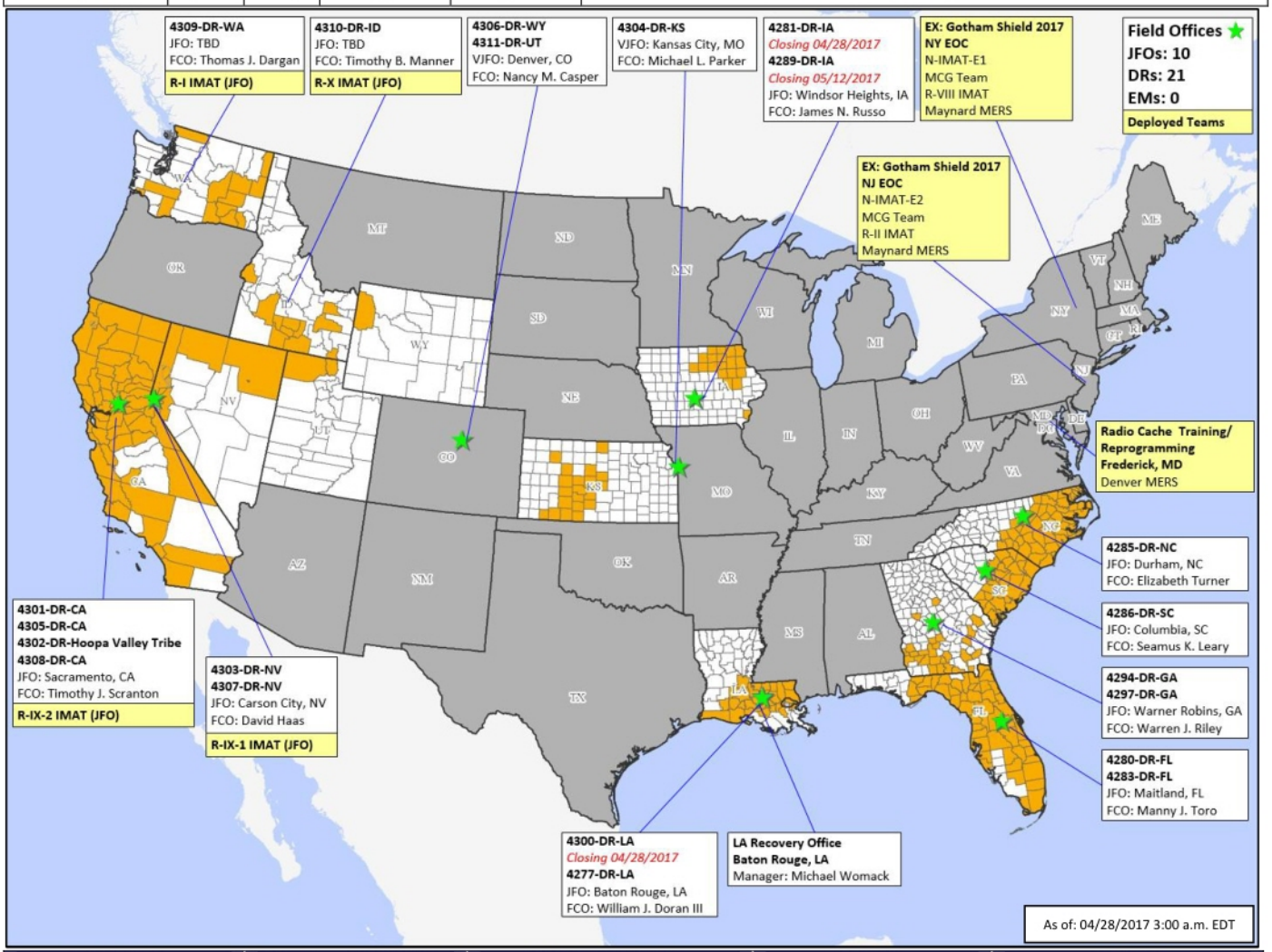
Current Operations	Monitoring	Recovery

Overview

- **NRCC:** Not Activated
- **NWC:** Watch / Steady State

Common Operating Picture

Total Force	Available		Deployed	Other	Cadres < 25%
10,238	5,844	57%	3,090	1,304	Equal Rights



N-IMATs		Regional IMATs		FCOs / FDRCs		US&R		MERS	
East 1:	B-2	Assigned:	13	Assigned:	36 / 11	Assigned:	28	Assigned:	36
East 2:	B-48	Available:	7	Available:	13 / 5	Available:	27	Available:	32
West:	Charlie	PMC/NMC:	0	PMC/NMC:	5 / 3	PMC/NMC:	1	NMC:	1
		Deployed:	6	Deployed:	18 / 3	Deployed:	0	Deployed:	3

B-2 Status: Assemble ≤ 2-hrs, On Site ≤ 18-hrs; **B-48 Status:** Assemble and deploy ≤ 48hrs; **Charlie Status:** No team assemble time requirement

(Back to top)

Current Operations

Joint Preliminary Damage Assessments:

FEMA Region	State / Location	Event	IA/PA	Number of Counties		Start-End
				Requested	Completed	
II	NY	Winter Storm Event March 13-15, 2017	IA	0	0	N/A
			PA	30	11	3/30 – TBD
VIII	ND	Dakota Access Pipeline Controversy August 10 – March 31, 2017	IA	0	0	N/A
			PA	1	1	4/25 – 4/26

Declaration Activity: None

Monitoring / Potential Future Operations

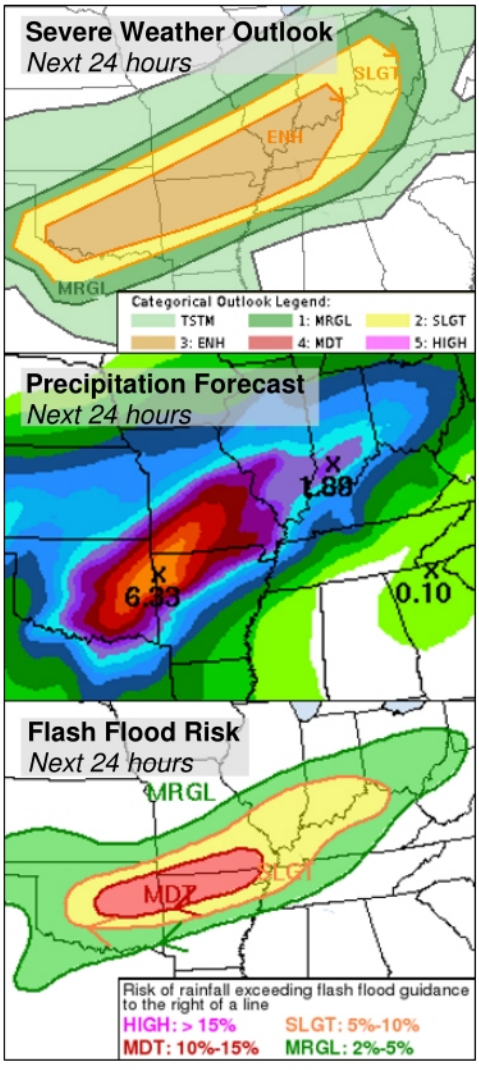
Significant Events:

- FEMA participation in Gotham Shield 2017 complete; NRCC has deactivated
- US&R: California Task Force 2 is conducting a full-scale exercise in southern CA through April 30

Tropical Activity: No activity threatening U.S. interests

Significant Weather:

- Severe Weather and Flood Threat
  - Enhanced Risk of severe thunderstorms from Oklahoma into the Ozark Plateau and Lower Ohio Valley (top graphic)
  - Supercells may form with large to very large hail and damaging wind as the main threats, though a few tornadoes may also occur
  - Significant rainfall in Oklahoma, Arkansas, and Missouri within the next 24 hours; over six inches expected in some areas (middle graphic)
  - The significant precipitation within the next 24 hours presents a Moderate Risk for flash flooding; the risk in southern Missouri is mitigated by mountainous terrain and floodplain management
  - The states and FEMA Regions in the threatened areas are monitoring, however no activations are planned at this time
- Critical fire weather in the far southwest continues to pose a threat



Space Weather: Nothing significant to report

Wildfires: Nothing significant to report

Earthquakes: Nothing significant to report

Recovery Operations *(Updated Weekly on Tuesdays)*

Acronyms / Abbreviations & Terms

DR	Major Disaster Declaration
EDT	Eastern Daylight Time
EM	Emergency Declaration
EOC	Emergency Operations Center
FCO	Federal Coordinating Officer
FDRC	Federal Disaster Recovery Coordinator
FMC	Fully Mission Capable
IA	Individual Assistance Program
IMAT	Incident Management Assistance Team
JFO	Joint Field Office
MERS	Mobile Emergency Response Support Teams
N-IMAT	National Incident Management Assistance Team
NMC	Non-Mission Capable
NRCC	National Response Coordination Center
NWC	National Watch Center
PA	Public Assistance Program
PDA	Preliminary Damage Assessments
PMC	Partially Mission Capable
RWC	Regional Watch Center
US&R	Urban Search and Rescue
VJFO	Virtual Joint Field Office

(Back to top)

From: Farmer, Robert
Sent: 2 Feb 2017 07:00:21 -0500
To: FEMA-NWC
Subject: RE: PRIORITY: Request from Acting Administrator - North Dakota - Updates?

Thanks.

Bob Farmer
Robert A. Farmer
Deputy Assistant Administrator
Response Directorate, FEMA
Desk: (202) 646-3249
Cell: (202) 306-5972
Robert.Farmer2@fema.dhs.gov

From: FEMA-NWC
Sent: Thursday, February 2, 2017 6:56 AM
To: Farmer, Robert <Robert.Farmer2@fema.dhs.gov>
Subject: RE: PRIORITY: Request from Acting Administrator - North Dakota - Updates?

Sir,
From CNN –
http://www.cnn.com/2017/02/01/politics/dakota-access-pipeline-army-corps/index.html

Looks like late last night, there were about 70 arrests at the pipeline protests. My guess is that this is what triggered the RFI. Will develop this further.

Very Respectfully,

Team Delta
National Watch Center
Response Directorate, FEMA
Phone: 202-646-2828
fema-nwc@fema.dhs.gov
fema-nwc@dhs.sgov.gov
fema-nwc@gold.ic.gov

From: Farmer, Robert
Sent: Thursday, February 02, 2017 6:52 AM
To: FEMA-NWC <FEMA-NWC@fema.dhs.gov>
Cc: Blaz, Christopher <Christopher.Blaz@fema.dhs.gov>
Subject: RE: PRIORITY: Request from Acting Administrator - North Dakota - Updates?

Thanks.

Bob Farmer
Robert A. Farmer
Deputy Assistant Administrator

Response Directorate, FEMA
Desk: (202) 646-3249
Cell: (202) 306-5972
Robert.Farmer2@fema.dhs.gov

From: FEMA-NWC
Sent: Thursday, February 2, 2017 6:47 AM
To: Farmer, Robert <Robert.Farmer2@fema.dhs.gov>
Cc: Blaz, Christopher <Christopher.Blaz@fema.dhs.gov>
Subject: RE: PRIORITY: Request from Acting Administrator - North Dakota - Updates?

Re: ND pipeline protests - Josh sent out a data call to several stakeholders with a suspense of 0900. Nothing at all yet, but initial calls indicated nothing at all sir. If we get anything at all significant we will let you know ASAP.

In other news, weather is all quiet. The declaration for the tribal village in Alaska was denied. There are violent protests underway at UC Berkeley.

Very Respectfully,

Team Delta
National Watch Center
Response Directorate, FEMA
Phone: 202-646-2828
fema-nwc@fema.dhs.gov
fema-nwc@dhs.sgov.gov
fema-nwc@gold.ic.gov

From: Farmer, Robert
Sent: Thursday, February 02, 2017 6:27 AM
To: FEMA-NWC <FEMA-NWC@fema.dhs.gov>
Subject: FW: PRIORITY: Request from Acting Administrator - North Dakota - Updates?

Is there anything going on?

Bob Farmer
Robert A. Farmer
Deputy Assistant Administrator
Response Directorate, FEMA
Desk: (202) 646-3249
Cell: (202) 306-5972
Robert.Farmer2@fema.dhs.gov

From: Cychosz, Rachel
Sent: Wednesday, February 1, 2017 7:12 PM
To: FEMA-NWC <FEMA-NWC@fema.dhs.gov>
Cc: Blaz, Christopher <Christopher.Blaz@fema.dhs.gov>; Farmer, Robert

<Robert.Farmer2@fema.dhs.gov>
Subject: RE: PRIORITY: Request from Acting Administrator - North Dakota - Updates?

Hi NWC,

We received another request related to the pipeline protests. Have you gotten any updates on activities/news related to this since last week?

If possible, could you send me anything you have by 9a tomorrow morning? If you have any questions, please let me know!

Thanks!
Rachel

Sent from my iFEMA mobile device.

From: FEMA-NWC
Sent: Thursday, January 26, 2017 3:09:04 PM
To: Cychosz, Rachel
Cc: Breslin, Thomas; Bibo, David; Blaz, Christopher; Farmer, Robert
Subject: RE: PRIORITY: Request from Acting Administrator - North Dakota - Updates?

Region-VIII spoke to ND regarding the pipeline protest: NSTR.

Very Respectfully,

Team Delta
National Watch Center
Response Directorate, FEMA
Phone: 202-646-2828
fema-nwc@fema.dhs.gov
fema-nwc@dhs.sgov.gov
fema-nwc@gold.ic.gov

From: FEMA-NWC
Sent: Thursday, January 26, 2017 2:52 PM
To: Cychosz, Rachel <Rachel.Cychosz@fema.dhs.gov>
Cc: Breslin, Thomas <Thomas.Breslin@fema.dhs.gov>; Bibo, David <David.Bibo@fema.dhs.gov>; Blaz, Christopher <Christopher.Blaz@fema.dhs.gov>; Farmer, Robert <Robert.Farmer2@fema.dhs.gov>
Subject: RE: PRIORITY: Request from Acting Administrator - North Dakota - Updates?

Nothing additional. I will call R-VIII now though to be certain. MTF

Very Respectfully,

Team Delta
National Watch Center
Response Directorate, FEMA
Phone: 202-646-2828
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fema-nwc@dhs.sgov.gov
fema-nwc@gold.ic.gov

From: Cychosz, Rachel
Sent: Thursday, January 26, 2017 2:50 PM
To: FEMA-NWC <FEMA-NWC@fema.dhs.gov>
Cc: Breslin, Thomas <Thomas.Breslin@fema.dhs.gov>; Bibo, David <David.Bibo@fema.dhs.gov>; Blaz, Christopher <Christopher.Blaz@fema.dhs.gov>; Farmer, Robert <Robert.Farmer2@fema.dhs.gov>
Subject: RE: PRIORITY: Request from Acting Administrator - North Dakota - Updates?

Have there been any updates on this since yesterday? Will be sending info up to DHS shortly, want to ensure most recent information.

Thanks!

Rachel Cychosz
Senior Advisor to the Acting Administrator
Office of the Administrator, FEMA

D: 202-212-5035
M: 202-445-6914
E: Rachel.Cychosz@fema.dhs.gov

From: FEMA-NWC
Sent: Wednesday, January 25, 2017 1:30 PM
To: Cychosz, Rachel <Rachel.Cychosz@fema.dhs.gov>
Cc: Breslin, Thomas <Thomas.Breslin@fema.dhs.gov>; Bibo, David <David.Bibo@fema.dhs.gov>; Blaz, Christopher <Christopher.Blaz@fema.dhs.gov>; Farmer, Robert <Robert.Farmer2@fema.dhs.gov>; FEMA-NWC <FEMA-NWC@fema.dhs.gov>
Subject: RE: PRIORITY: Request from Acting Administrator - ND Rioting - UPDATE #2

UPDATE #2

Source: Region VIII RWC/Denver MERS

- The press release GOV Burgum put out yesterday is below
- State EM reports no rioting in the past 4 days

- Additional surveys of traditional and social media have also not reveled any new rioting or unusual activity
- The R-VIII ARA, ADRA, and RDD have all been briefed

North Dakota NG JOC SITREP from 24 January is attached
<< File: ND JOC SITREP 241400JAN17.pdf >>
Image Source: CNN (both images below)
<< OLE Object: Picture (Device Independent Bitmap) >>
<< OLE Object: Picture (Device Independent Bitmap) >>

Very Respectfully,

Team Delta
National Watch Center
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fema-nwc@gold.ic.gov

Subject: BURGUM STATEMENT ON PRESIDENT TRUMP'S EXECUTIVE ACTION ON DAKOTA ACCESS PIPELINE

NEWS: FOR IMMEDIATE RELEASE
Jan. 24, 2017

Contact: Mike Nowatzki
701.328.2424

Burgum issues statement about President Trump's executive action on Dakota Access Pipeline

BISMARCK – Gov. Doug Burgum issued the following statement today in response to the executive action by President Donald Trump directing federal agencies to expedite the review and approval process for the Dakota Access Pipeline.

"After months of politically driven and costly delays by the Obama administration, President Trump has moved this important infrastructure project one step closer to completion," Burgum said. "This pipeline underwent an exhaustive review process and was twice upheld by federal courts. We ask that the Trump administration provide federal law enforcement resources to assist in upholding the law and protecting people and property rights as the project moves toward completion under Lake Oahe."

In a memo to the Secretary of the Army, Trump stated that he believes "construction and operation of lawfully permitted pipeline infrastructure serve the national interest." The memo did not grant the easement for the Lake Oahe crossing or permit drilling to begin immediately, but directed the U.S. Army Corps of Engineers to review and approve "in an expedited manner" requests to construct the pipeline, and consider prior reviews and determinations as satisfying all applicable requirements of federal law.

"As the legal and political process continues to unfold, we remain squarely focused on life safety and protecting all citizens, including the protesters still camped in a flood zone in southern Morton County," Burgum said. "We strongly support the Standing Rock Tribal Council's unanimous vote Friday asking those remaining at the camps to vacate the area and head home to allow cleanup to happen before spring flooding begins. While we support free speech and the right to peacefully protest, we are concerned about safety due to flooding and ongoing violent protests, including last Wednesday's incident on the Backwater Bridge that resulted in 21 arrests."

"We all care about clean water in North Dakota. As this situation has unfolded, it has become a political flashpoint for many causes unrelated to the Standing Rock Sioux Tribe's original concerns," Burgum said. "Moving ahead, our administration is committed to government-to-government consultation and an inclusive permitting process that represents the viewpoints of all interested parties. We look forward to a return to collaborative dialogue and improved relations so we can collectively focus our energy on addressing the important issues facing the tribes in our state."

-###-

Very Respectfully,

Team Delta
National Watch Center
Response Directorate, FEMA
Phone: 202-646-2828
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fema-nwc@gold.ic.gov

From: FEMA-NWC
Sent: Wednesday, January 25, 2017 12:38 PM
To: Cychosz, Rachel <Rachel.Cychosz@fema.dhs.gov>
Cc: Breslin, Thomas <Thomas.Breslin@fema.dhs.gov>; Bibo, David <David.Bibo@fema.dhs.gov>; Blaz,

Christopher <Christopher.Blaz@fema.dhs.gov>; Farmer, Robert <Robert.Farmer2@fema.dhs.gov>; FEMA-NWC <FEMA-NWC@fema.dhs.gov>
Subject: RE: PRIORITY: Request from Acting Administrator - ND Rioting - UPDATE #1

Good afternoon, UPDATE #1

Source FEMA Region VIII

- Local / state media silent on the topic
- Social Media quiet as well
- There are no reports posted to the ND State WebEOC
- FEMA LNOs responsible for ND have been unable to reach ND emergency managers… the thought is they are in a meeting

Very Respectfully,

Team Delta
National Watch Center
Response Directorate, FEMA
Phone: 202-646-2828
fema-nwc@fema.dhs.gov
fema-nwc@dhs.sgov.gov
fema-nwc@gold.ic.gov

From: FEMA-NWC
Sent: Wednesday, January 25, 2017 12:32 PM
To: Cychosz, Rachel <Rachel.Cychosz@fema.dhs.gov>
Cc: Breslin, Thomas <Thomas.Breslin@fema.dhs.gov>; Bibo, David <David.Bibo@fema.dhs.gov>; Blaz, Christopher <Christopher.Blaz@fema.dhs.gov>; Farmer, Robert <Robert.Farmer2@fema.dhs.gov>
Subject: RE: PRIORITY: Request from Acting Administrator - ND Rioting

There is nothing specific going on, the ongoing protest for the Keystone XL Pipeline has attracted media attention. President Trump has taken executive actions to smooth construction of the pipeline. That action triggered additional preparation at the state level in anticipation of this exacerbating the protest situation.

Source: Open Source Media

- Open source article on 18 Jan 17 reporting ND Governor requested "chemical munitions launcher," riot squads, and cops with active shooter training
- link: https://www.muckrock.com/news/archives/2017/jan/18/north-dakota-emac-request/

Source: National Guard Bureau

- Currently, all is quiet
- 2 NG Soldiers sustained minor injuries from protesters on 18 January
- ND National Guard JOC is at Level I manning (Day Shift Only)
- Governor ND has alerted MP BN – Not called up at this time
- Currently there are 311 NG personnel supporting (278 on State Active Duty, 31 Active Guard Reserve, 2 Retirees)

Pending a response from FEMA Region VIII, we will update further.

Very Respectfully,

Team Delta
National Watch Center
Response Directorate, FEMA
Phone: 202-646-2828
fema-nwc@fema.dhs.gov
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fema-nwc@gold.ic.gov

From: Cychosz, Rachel
Sent: Wednesday, January 25, 2017 11:58 AM
To: FEMA-NWC <FEMA-NWC@fema.dhs.gov>
Cc: Breslin, Thomas <Thomas.Breslin@fema.dhs.gov>; Bibo, David <David.Bibo@fema.dhs.gov>; Blaz, Christopher <Christopher.Blaz@fema.dhs.gov>; Farmer, Robert <Robert.Farmer2@fema.dhs.gov>
Subject: PRIORITY: Request from Acting Administrator - ND Rioting

NWC –

Can you provide a summary of the rioting situation in North Dakota in the next 30 minutes? Need NLT 12:30p.

Thanks,
Rachel

Rachel Cychosz
Senior Advisor to the Acting Administrator
Office of the Administrator, FEMA

D: 202-212-5035
M: 202-445-6914
E: Rachel.Cychosz@fema.dhs.gov

From: Dozor, Joshua
Sent: 13 Feb 2017 09:35:01 -0500
To: Irwin, William (OGA);FEMA-NWC
Subject: RFI for Monday by noon

Bill or Watch
For the USACE operated dam upstream from the Dakota Pipeline protests within Standing Rock Sioux Tribe in Region VIII, can you please let me know Monday morning of the triggers the USACE is using to determine:
(A) when to begin de-watering operations (e.g., feet of freeboard); and
(B) when evacuations downstream may be required for atmospheric or other reasons?
I acknowledge that these might be the same time.

I heard from the USACE rep that March 1st marks the time of high risk of flooding from the high snowfall.

I am asking in anticipation for when emergency protective measures may be required in preparation for a meeting this afternoon.

doz

Joshua C. Dozor
Acting Associate Administrator
FEMA Office of Policy and Program Analysis
Cell: 202-631-6877
SPRNet: Joshua.dozor@dhs.sgov.gov

From: Dozor, Joshua
Sent: Saturday, February 11, 2017 2:45 PM
To: Irwin, William (OGA) <William.Irwin@associates.fema.dhs.gov>
Cc: Bibo, David <David.Bibo@fema.dhs.gov>; Gruber, Corey <Corey.Gruber@fema.dhs.gov>
Subject: RFI for Monday by noon

Bill
For the USACE operated dam upstream from the Dakota Pipeline protests within Standing Rock Sioux Tribe in Region VIII, can you please let me know Monday morning of the triggers the USACE is using to determine:
(A) when to begin de-watering operations (e.g., feet of freeboard); and
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- doz

Joshua C. Dozor
Director, Planning and Exercises
FEMA Response Directorate
Cell: 202-631-6877

FEMA-NWC-TMT

From: NOC Media Monitoring <mmc@techopsolutions.net>
Sent: Saturday, March 25, 2017 10:28 PM
To: NOC.MMC
Subject: Sioux Co. Officials Confirm Additional Reports Of Pipeline Vandalism; FBI Investigating - IA-UPDATE 1 to MMC IOI #1240-17

Location(s): Sioux County, Iowa

- After another report of vandalism on the Dakota Access Pipeline, federal authorities are joining the investigation, media reported Friday
  - Officials in Sioux County released details of the damages discovered at sites near Hospers
- At two locations, investigators say someone tried to burn holes into above-ground valves
  - Both areas have been secured by county deputies
- The FBI is conducting an investigation that includes vandalism found in South Dakota and the incidents in Iowa
  - This includes the incident that was discovered earlier this month in Mahaska County
  - Authorities believe a cutting torch was used to cut a small hole into a section of pipeline that is above ground
- The company has yet to begin pumping oil through the pipeline, and security has been increased at the sites hit by vandals

New Media Sources (some page content may change or not be available over time):
- Twitter [WHO-HD Ch. 13 News]
-- http://bit.ly/2mCSWxu
- The Des Moines Register
-- http://dmreg.co/2mCXAeV

The above information summarizes emerging open source reporting that has not been corroborated by official government sources. It is provided to rapidly enhance situational awareness on items of interest to the homeland security enterprise.

Elisabeth Stoddard
Operations Analyst
DHS NOC Media Monitoring
Phone: (b)(6)
Cell: (b)(6)

Page 2032

Withheld pursuant to exemption

Referred to Another Agency/Component

of the Freedom of Information and Privacy Act

FIELD ANALYSIS REPORT

Regional Analysis with National Perspective.

7 April 2017

~~(U//FOUO)~~ Potential Domestic Terrorist Threats to Multi-State Diamond Pipeline Construction Project

~~(U//FOUO)~~ Prepared by the Arkansas State Fusion Center (ASFC), Oklahoma Information Fusion Center (OIFC), Tennessee Fusion Center (TFC), and the DHS Office of Intelligence & Analysis (I&A).

(U) ***Scope:*** *This* Field Analysis Report (FAR) *addresses potential threats to the construction of the Diamond Pipeline across Oklahoma, Arkansas, and Tennessee in the coming months. It highlights violent incidents and threats against similar projects; considers potential domestic terrorist targeting, tactics, and weapons; and provides a list of indicators of possible planned violence against this pipeline.* This product is intended to assist government, law enforcement, emergency managers, and private sector security partners in preventing and responding to potential threats during construction of the pipeline.*

(U) Key Judgments

- ~~(U//FOUO)~~ DHS and the authoring fusion centers assess the most likely potential domestic terrorist threat to the Diamond Pipeline construction project or associated entities is from environmental rights extremists motivated by resentment over perceived environmental destruction.† While environmental rights extremists have a history of targeting the energy sector, we do not currently possess any credible information regarding possible threats against the Diamond Pipeline or related entities from such actors.

- ~~(U//FOUO)~~ We assess that the second most likely potential domestic terrorist threat to the Diamond Pipeline or associated entities—including law enforcement and private contract security guards—is from militia extremists opposed to government enforcement of eminent domain policies.‡ We do not currently have any credible information regarding possible threats against the Diamond Pipeline or related entities from militia extremists.

- ~~(U//FOUO)~~ We assess that potential attacks against the Diamond Pipeline or related entities would most likely be simple and designed to damage physical infrastructure or equipment by sabotage or arson. Previous attacks against pipelines or related targets have included assaults on law enforcement, private contract security guards, or construction personnel during otherwise lawful

---

* ~~(U//FOUO)~~ DHS defines **domestic terrorism** as any act of unlawful violence that is dangerous to human life or potentially destructive of critical infrastructure or key resources committed by a group or individual based and operating entirely within the United States or its territories without direction or inspiration from a foreign terrorist group. This act is a violation of the criminal laws of the United States or of any state or other subdivision of the United States and appears to be intended to intimidate or coerce a civilian population, to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction, assassination, or kidnapping. A domestic terrorist differs from a homegrown violent extremist in that the former is not inspired by and does not take direction from a foreign terrorist group or other foreign power.

† ~~(U//FOUO)~~ DHS defines **environmental rights extremists** as groups or individuals who facilitate or engage in acts of unlawful violence against people, businesses, or government entities perceived to be destroying, degrading, or exploiting the natural environment.

‡ ~~(U//FOUO)~~ DHS defines **militia extremists** as groups or individuals who facilitate or engage in acts of unlawful violence directed at federal, state, or local government officials or infrastructure in response to their belief that the government deliberately is stripping Americans of their freedoms and is attempting to establish a totalitarian regime. These individuals consequently oppose many federal and state authorities' laws and regulations (particularly those related to firearms ownership), and often belong to armed paramilitary groups. They often conduct paramilitary training designed to violently resist perceived government oppression or to violently overthrow the US Government.

IA-0123-17

*(U) **~~Warning:~~** ~~This document contains UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO) information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552. State and local homeland security officials may share this document with critical infrastructure and key resource personnel or private sector security officials without further approval from DHS.~~*

~~(U) This product contains US person information that has been deemed necessary for the intended recipient to understand, assess, or act on the information provided. It has been highlighted in this document with the label USPER and should be handled in accordance with the recipient's intelligence oversight and/or information handling procedures. Other US person information has been minimized. Should you require the minimized US person information, please contact the I&A Production Branch at IA.PM@hq.dhs.gov, IA.PM@dhs.sgov.gov, or IA.PM@dhs.ic.gov.~~

protests or criminal trespassing. More complex attacks against pipelines, including those involving improvised explosive devices (IEDs), have historically been rare. We have also seen suspicious photography of critical facilities or personnel associated with pipelines other than Diamond.

(U) The Diamond Pipeline

(U) The 440-mile-long Diamond Pipeline will carry sweet crude oil from ground wells in Cushing, Oklahoma across Arkansas to refineries in Memphis, Tennessee to help increase gasoline, diesel, and jet fuel production in the region. Construction efforts, including land clearing, began in late 2016, with the pipeline anticipated to go operational in late Fall 2017.



(U) Figure 1. Map of planned Diamond Pipeline route.[1]

~~(U//FOUO)~~ Domestic Terrorist Actors and Grievances

~~(U//FOUO)~~ Environmental Rights Extremists: Most Likely Potential Threat

~~(U//FOUO)~~ We assess the primary potential threat of violence against the Diamond Pipeline and related entities is from lone offenders who adhere to environmental rights extremist beliefs and believe violence is justified against such projects due to their perceived harm to the environment.* Previous incidents involving lone offenders committing violent acts against targets associated with similar energy projects suggest that the pipeline and associated entities could be attractive targets for an attack by lone environmental rights extremists. We do not have information indicating environmental rights extremists are planning to attack or violently disrupt the Diamond Pipeline.

- ~~(U//FOUO)~~ Environmental rights extremist attacks tend to be designed to inflict economic damage—rather than to cause physical casualties—against targets perceived as exploiting or harming the environment. Environmental rights extremist actors often claim their actions are morally justifiable in the cause of protecting the environment and condone the use of violent tactics in meeting this objective.[2,3] Environmental rights extremists' motivations for attacks against the Diamond Pipeline construction project would likely be related to concerns that potential fuel spills could result in habitat destruction and pollution of groundwater, according to news media reporting.[4]

~~(U//FOUO)~~ Suspected environmental rights extremist attacks targeting pipelines in 2016 have included arson attacks against construction equipment and manually shutting pipeline valves, resulting in millions of dollars in estimated damages, according to a Department of Energy report and media reporting.[5,6,7]

~~(U//FOUO)~~ Militia Extremists: Second Most Likely Potential Threat

~~(U//FOUO)~~ We assess the next most likely potential threat of violence against the Diamond Pipeline and related entities is from militia extremists. Although militia extremists have only occasionally targeted energy-related

* ~~(U//FOUO)~~ DHS defines a **lone offender** as an individual motivated by one or more violent extremist ideologies who, operating alone, supports or engages in acts of unlawful violence in furtherance of that ideology or ideologies that may involve influence from a larger terrorist organization or foreign actor.

targets, government enforcement efforts related to land use disputes have increasingly become a driver of violence among militia extremists in the past three years.[8] We assess, based on their behavior at these recent events, militia extremists could potentially view limited government enforcement of eminent domain laws in the Diamond Pipeline case with similar animosity, creating a flashpoint for violence targeting law enforcement or other entities associated with pipeline construction, such as private contract security guards. However, we do not have information indicating militia extremists are planning to attack or violently disrupt the Diamond Pipeline.

- (U) Militia extremists have engaged in armed standoffs, threats, and disrupted IED plots targeting law enforcement entities perceived to be enforcers of oppressive government land-use policies, according to media reporting.[9,10]

- (U) Although their capabilities vary, some militia extremists have well-rehearsed paramilitary skills, as well as access to and proficiency using firearms and explosives.[11] As a result, successful violent attacks have the potential to cause mass casualties.

(U) Tactics, Techniques, and Procedures

~~(U//FOUO)~~ No Diamond Pipeline-Related Violence Reported So Far; Suspected Domestic Terrorist Activities Against Similar Projects Offer Potential Lessons

~~(U//FOUO)~~ Natural energy development efforts have long been the focus of peaceful protests. More recently, however, these protest movements have been supported by environmental rights extremists from outside the affected regions, resulting in some instances of violence. While the protests against the Diamond Pipeline project have thus far been peaceful, environmental rights extremists could take advantage of these demonstrations to incite or commit acts of violence.

- ~~(U//FOUO)~~ Since the route-clearing phase of the pipeline project began in Arkansas in fall 2016, crews have reported three incidents involving altercations between land occupants and construction crews, according to an incident report released by a private sector company.[12] In all three incidents, which occurred over the span of several weeks, an armed individual was reported to have verbally threatened crewmembers. While one of the incidents did involve a landowner, the other reported incidents involved disputes with individuals who occupied the property by lease agreement with the landowner. These types of incidents have the potential for escalating into violent clashes with either the crew or law enforcement.

~~(U//FOUO)~~ We assess potential domestic terrorist attacks against the Diamond Pipeline or related entities would likely be simple and primarily aimed at damaging physical infrastructure or equipment by sabotage or arson. Violent acts against similar types of targets have included assaults on law enforcement, private contract security guards, and construction personnel during otherwise lawful protests or criminal trespassing. More complex attacks, including those using IEDs, have historically been rare. We have also seen suspicious photography of critical facilities or personnel associated with pipelines other than Diamond.

~~(U//FOUO)~~ Environmental Rights Extremist Threats to Worksite Personnel and Facilities

~~(U//FOUO)~~ Past incidents involving physical standoffs between the government and groups of individuals who oppose certain policies represent possible actions that domestic terrorists could take to disrupt development of the Diamond Pipeline. Perceived instances of government overreach, eminent domain enforcement actions, and newly designated federal lands have all been confrontation catalysts for violent extremist groups. Highly visible, dramatic episodes involving criminal trespassing events resulting in violence or threats of violence against worksite personnel and law enforcement, as well as tactics to occupy construction facilities, may be incorporated into the future operational plans of groups opposed to the Diamond Pipeline project.

- ~~(U//FOUO)~~ In mid-December 2016, two individuals entered property used for storing construction equipment for the Diamond Pipeline, forcing the equipment operator to vacate the property fearing for his safety and the safety of the trespassers; the individuals then secured themselves to the equipment, according to media

reporting.[13,14] Both individuals were arrested and charged with criminal trespassing and pled not guilty, according to media reporting.[15] The cases are pending in criminal court.

- (U) On 21 June 2016, William Keebler[USPER], the violent extremist leader of a Utah militia group, was arrested after allegedly attempting to blow up a Bureau of Land Management (BLM) cabin in Mt. Trumbull, Arizona. Keebler traveled to Arizona with other militia members and undercover FBI agents. Keebler reportedly attempted to detonate an inactive IED placed in front of the cabin's door, according to news sources.[16] Keebler also participated in the 2014 standoff against the BLM in Bunkerville, Nevada. He is currently awaiting trial in federal court for charges of attempted damage to federal property by means of fire or explosive and possessing a firearm during a violent crime, according to media reporting.[17]

- (U) In August 2015, individuals attempted to instigate an armed standoff with federal authorities by occupying the grounds of White Hope Mine[USPER] in Lewis and Clark County, Montana following legal requests from the US Forest Service that the owner address compliance issues.[18,19] While the incident concluded peacefully, the actions of the participants had the potential to escalate to violence as seen in Arizona in mid-2016.

(U) Elicitation and Suspicious Photography of Critical Facilities

~~(U//FOUO)~~ Nodes of critical infrastructure and natural energy development sites—including the Diamond Pipeline project—have been the subject of intense public interest. Suspicious activity reporting about unusual photography of energy sector infrastructure potentially related to the Diamond Pipeline—while nonviolent to date—may be indicative of preoperational surveillance by those opposed to the operations and planned expansion of the fossil fuels industry.

- ~~(U//FOUO)~~ A private sector safety official reported to the OIFC that on 9 November 2015 an unidentified individual in a vehicle was observed photographing a gate to a commercial natural energy terminal in Cushing. After slowing down to take the photographs, the vehicle's sole occupant departed the area. Subsequent vehicle identification checks revealed the vehicle belonged to a construction supply company; however, additional contact with personnel assigned to the energy terminal revealed no construction or maintenance scheduled for the gate in question, according to the safety official.[20]

- ~~(U//FOUO)~~ On 8 March 2015, a fixed-base operator at an airfield in Oklahoma received a telephone call from an individual who reportedly spoke broken English and inquired about renting an aircraft to take aerial photographs of an energy facility in Cushing. The caller claimed to be an employee of a company that provides "midstream support services" to oil and gas company clients—a claim subsequently disproven by a company representative contacted by state officials, according to local law enforcement.[21]

- ~~(U//FOUO)~~ On 15 March 2013, security personnel employed by a private sector refinery located in north-central Oklahoma observed a group of five individuals taking photographs at the employee entrance to the facility. When approached by a security officer, the individuals refused to identify themselves. Once the security officer contacted local law enforcement, the individuals appeared to delete the photographs. Before law enforcement arrived, the group departed the area in a vehicle with an out-of-state license plate, according to the security personnel.[22]

(U) Sabotage and Disruption of Critical Infrastructure

~~(U//FOUO)~~ While the Diamond Pipeline project has not seen the same level of disruption as the Dakota Access Pipeline (DAPL), we are concerned that negative perceptions about enforcement efforts against DAPL opponents could inspire likeminded individuals to seek out reprisal violence against similar targets, including the Diamond Pipeline.

- (U) On 11 October 2016, five pipelines spanning the US–Canadian border in Montana, North Dakota, Minnesota, and Washington were shut down. The coordinated shutdown resulted in the arrests of nine individuals on charges related to tampering with pipeline valves, according to media reporting.[23,24] Websites supportive of the action stated the subjects used bolt cutters to gain access to aboveground

maintenance facilities, from which they were able to manually close valves to stop the flow of oil.[25] According to an online press release from a group representing the individuals, they targeted the pipelines to show solidarity with the actions against the DAPL. The press release called on the government to use emergency powers to keep the pipelines closed, a total ban on new fossil fuel extractions, and an immediate end to use of tar sands and coal.[26] In each disruption, the subjects called pipeline operators to give advanced notice of the valve closure.[27]

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(U) Figure 2. Use of burning tires and vehicles as barricades in North Dakota during anti-DAPL protests in October 2016.[28]

- (U) Protests surrounding the DAPL have resulted in the arrest of hundreds of individuals for allegedly committing criminal acts while trespassing and setting up encampments on DAPL property in rural North Dakota. Media reporting noted the DAPL construction project attracted opposition from Native American tribes that claim the pipeline route crosses sacred sites and burial places, and they are concerned about the consequences if the pipeline ruptures.[29] Activity reported by local news included setting tires and DAPL vehicles on fire on roads to block law enforcement advances; using "sleeping dragons" (individuals willing to chain themselves to construction equipment); and throwing Molotov cocktails, rocks, and debris at police.[30] One individual was charged with attempted murder for allegedly discharging a firearm at officers during removal efforts, according to media reporting.[31]

- ~~(U//FOUO)~~ On 7 March 2014, a US natural gas company operating in Tennessee received an emergency notification from one of its regional natural gas compressor stations. Further inspection of the facility revealed its fence had been cut and its emergency shutdown button engaged. Additionally, "ELF," an acronym for the known environmental rights extremist group Earth Liberation Front, and a "circle-A" anarchy symbol, known to be used by violent and nonviolent adherents, were spray-painted on the facility, according to official DHS reporting.[32] To date, no group has claimed responsibility and no suspects have been identified by authorities.[33]

(U) Arson Attacks

(U) Environmental rights extremists have a long history of using arson attacks to inflict economic damage and disrupt projects or infrastructure they believe present a danger to the environment. Some environmental rights extremists claim arson attacks are nonviolent due to precautions they take to avoid human casualties; however, such acts carry a risk of death or serious injury. Historical examples include a $12 million Colorado ski resort arson in 1998 and a $50 million California housing complex construction site arson in 2003.[35] According to a DHS-funded academic review, there were approximately 90 arson attacks perpetrated by environmental and animal rights extremists between 1995 and 2010.[36,*] Most took place in the western United States; however, more recent arson activity believed to have been

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(U) Figure 3. Suspected arson against pipeline construction equipment in Jasper County, Iowa on 1 August 2016.[34]

[*] (U//FOUO) DHS defines **animal rights extremists** as groups or individuals who facilitate or engage in acts of unlawful violence directed against people, businesses, or government entities perceived to be exploiting or abusing animals.

committed by environmental rights extremists has been reported in areas much closer to the Diamond Pipeline construction project.[37]

- (U) On 1 August 2016, unknown individual(s) set fires in Iowa's Jasper County targeting heavy machinery at three construction sites associated with DAPL, resulting in over $1 million in damages to equipment, including a bulldozer and a track hoe, according to media reporting.[38] According to media reports citing local law enforcement, the fires damaged the vehicles' engine and cab compartments, likely resulting in a total loss of the equipment.[39] There have been no arrests or claims of responsibility for the attacks, which were the first local criminal incidents related to the project.[40]

- (U) On 15 October 2016, unknown individual(s) committed a fourth arson against DAPL construction equipment in Jasper County, according to local news reports.[41] According to media reporting citing local law enforcement, there have been no arrests. The attack occurred in the same area as one of the August arsons and involved similar tactics, possibly suggesting it was related to the earlier arsons.[42] The arson resulted in over $2 million worth of damage.[43] In both the August and October attacks, the targets' proximity and relationship with DAPL, and the tactics, techniques, and procedures used suggest this incident was plausibly carried out by environmental rights extremists. However, we acknowledge that other factors—a lack of graffiti at the crime scene, no claims of responsibility, a lack of previous activity in the region, and public controversy over the project's use of eminent domain—could suggest the attack was committed by actors with other motives.[44]

(U) Improvised Explosive Devices

~~(U//FOUO)~~ Environmental rights extremists have a history of targeting critical infrastructure and energy sector construction sites they deem as dangerous or harmful to the environment; however, these actors have infrequently employed IEDs against such targets. The Diamond Pipeline construction project area and neighboring regions cover great distances of sparsely populated lands, making it vulnerable to sabotage by groups and individuals who could use IEDs with reduced risk of detection.

- (U) On 17 and 18 June 2012, environmental rights extremist Anson Chi[USPER] set off a series of explosive devices on top of an Atmos[USPER] gas pipeline in Plano, Texas. Chi intended to damage the pipeline and disrupt natural gas flows. He was sentenced to 20 years without parole on 30 June 2014, according to media and Department of Justice reports.[45,46] Chi pled guilty to attempting to destroy a natural gas pipeline used in interstate commerce and possessing an explosive device not registered with the National Firearms Registration and Transfer Record.[47]

- (U) In the early morning hours of 23 January 2012, three explosions took place at a private sector energy facility in Stillwell, Oklahoma, according to open source reporting. The first two explosions occurred concurrently prior to the arrival of first responders. The third explosion took place just after the first law enforcement officer arrived, and reportedly sent shrapnel into the officer's patrol vehicle. No injuries were associated with the events, and damage reportedly was minor. The FBI, which believes the explosions were intentional, has not identified any suspects in connection with the case.[48]

(U) Outlook and Implications

~~(U//FOUO)~~ We have no specific information indicating environmental rights extremists or militia extremists are planning violent attacks targeting the Diamond Pipeline construction project or associated entities. Pipeline construction projects frequently arouse concerns about environmental and land-use issues. While most opposition activity related to pipeline construction remains nonviolent and lawful protest activity, some violent extremists may take advantage of lawful gatherings to attempt to threaten, incite, or commit violent acts against public safety officers or facility staff.

(U) Intelligence Gaps

- (~~U//FOUO~~) What environmental rights extremist groups and individuals exist in areas affected by the Diamond Pipeline construction project?
- (~~U//FOUO~~) Are militia extremist groups and individuals in the region or elsewhere in the United States advocating violence in response to pipeline construction efforts?
- (~~U//FOUO~~) What is the nature and scope of the threat to the Diamond Pipeline construction project supply chain?

(U) Behavioral Indicators of Planned Violence

(~~U//FOUO~~) There are a number of potential behaviors and indicators of planned criminal or violent activities targeting pipelines and associated entities. Some of these behavioral indicators may be constitutionally protected activities and should be supported by additional facts to justify increased suspicions.* Possible behaviors and indicators of planned violent activity that could reasonably arouse suspicion include:

- (~~U//FOUO~~) Planning of violent activities related to major protests on Internet chatrooms, message boards, or social networking sites;
- (~~U//FOUO~~) Reports of preoperational surveillance of pipeline construction sites or facilities potentially related to the project;
- (~~U//FOUO~~) Reports of rhetoric indicating a desire to manually close pipeline valves;
- (~~U//FOUO~~) Advanced warning calls indicating a violent attack is imminent;
- (~~U//FOUO~~) Possession of locks and homemade devices to chain oneself to pipeline valves or construction equipment;
- (~~U//FOUO~~) Reports of graffiti threatening violence related to the pipeline;
- (~~U//FOUO~~) Threatening verbal or online rhetoric related to pipeline construction;
- (~~U//FOUO~~) Threatening phone calls or e-mails to corporate executives, businesses, or contractors associated with pipeline construction;
- (~~U//FOUO~~) Signs of trespassing or suspicious persons in construction areas possibly indicating pre-incident surveillance;
- (~~U//FOUO~~) Reports of individuals wearing all dark or black clothing and masks or bandanas without a reasonable explanation;
- (~~U//FOUO~~) Possession of sharp or blunt objects, such as knives, machetes, dowels, or tire irons, during protests;
- (~~U//FOUO~~) Possession of bolt-cutters for use in cutting through security fencing;
- (~~U//FOUO~~) Reports of attacking opposition vehicles by lighting them on fire and using them as roadblocks;

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* (~~U//FOUO~~) For further description of suspicious activity reporting indicators, please see https://nsi.ncirc.gov/documents/ISE-SAR_functional_standard_indicators_and_examples_0315.pd.

- ~~(U//FOUO)~~ Reports of individuals carrying illegal firearms during protests;
- (~~U//FOUO~~) Reports of individuals acquiring materials that could be used to build improvised incendiary devices or IEDs without a reasonable explanation;
- (~~U//FOUO~~) Reports of individuals moving heavy materials, such as tires, trashcans, or dumpsters, to make barricades during protests, which they could then light on fire;
- ~~(U//FOUO)~~ Reports of pilfered construction sites for potential projectiles, such as bricks, rebar, or pipes;
- ~~(U//FOUO)~~ Pre-staging of bricks, rocks, or debris along protest routes;
- ~~(U//FOUO)~~ Reports of "direct action" training camps or gatherings advocating or planning criminal or violent activity in preparation for major events; and
- (~~U//FOUO~~) Reports of individuals carpooling from other locations to engage in planned criminal or violent acts during event disruptions.

~~(U//FOUO)~~ Comments, requests, or shareable intelligence may be directed to the Arkansas State Fusion Center at 501-618-8001 or arfusioncenter@asp.arkasas.gov, the Oklahoma Information Fusion Center at 405-842-8547 or fusion@osbi.ok.gov, or the Tennessee Fusion Center at 877-250-2333 or tfc@tn.gov.

(U) Source Summary Statement

(U) The information used in this *FAR* is drawn from open source reporting, DHS reporting, and other law enforcement intelligence reports. We have **high confidence** in the information obtained from US Government and law enforcement agencies, as they are credibly sourced and plausible. We have **medium confidence** in the information obtained from open sources, which includes media and NGO reports and websites whose information is credibly sourced and plausible but may contain biases or unintentional inaccuracies. When possible, open source information has been corroborated through other law enforcement and government sources.

~~(U//FOUO)~~ We have **medium confidence** in our assessment that the most likely potential domestic terrorist threat to the Diamond Pipeline construction project or associated entities is from environmental rights extremists motivated by resentment over perceived environmental destruction. Our judgment is based on our review of targeting trends using law enforcement information, open source information, and official government reports on recent environmental rights extremist attacks elsewhere in the United States and the movement's continued focus on the pipeline construction industry going into 2017.

~~(U//FOUO)~~ We have **medium confidence** in our assessment that the second most likely potential domestic terrorist threat to the Diamond Pipeline or associated entities are from militia extremists. Our judgment is based on our review of law enforcement information, open source information, and official government reports on nationwide targeting trends indicating that disputes over land-use are a primary driver of violence from the movement.

~~(U//FOUO)~~ We have **medium confidence** in our assessment that potential attacks against the Diamond Pipeline or related entities would most likely be simple and designed to damage physical infrastructure or equipment by sabotage or arson. Our judgment is based on our review law enforcement information, open source information, and official government reports on tactical trends in historical attacks and trends in attacks against DAPL construction efforts in 2016.

(U) Report Suspicious Activity

(U) To report suspicious activity, law enforcement, Fire-EMS, private security personnel, and emergency managers should follow established protocols; all other personnel should call 911 or contact local law enforcement. Suspicious activity reports (SARs) will be forwarded to the appropriate fusion center and FBI Joint Terrorism Task Force for further action. For more information on the Nationwide SAR Initiative, visit http://nsi.ncirc.gov/resources.aspx.

(U) Tracked by: HSEC 8.1, HSEC 8.2, HSEC 8.3, HSEC 8.4, HSEC 8.5, HSEC 8.6, HSEC 8.8, HSEC 8.10

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CLASSIFICATION: **UNCLASSIFIED//FOR OFFICIAL USE ONLY**

Homeland Security

Office of Intelligence and Analysis

Customer Feedback Form

Product Title: ~~(U//FOUO)~~ Potential Domestic Terrorist Threats to Multi-State Diamond Pipeline Construction Project

All survey responses are completely anonymous. No personally identifiable information is captured unless you voluntarily offer personal or contact information in any of the comment fields. Additionally, your responses are combined with those of many others and summarized in a report to further protect your anonymity.

1. Please select partner type: Select One **and function:** Select One

2. What is the highest level of intelligence information that you receive? Select One

3. Please complete the following sentence: "I focus most of my time on:" Select One

4. Please rate your satisfaction with each of the following:

	Very Satisfied	Somewhat Satisfied	Neither Satisfied nor Dissatisfied	Somewhat Dissatisfied	Very Dissatisfied	N/A
Product's overall usefulness	○	○	○	○	○	○
Product's relevance to your mission	○	○	○	○	○	○
Product's timeliness	○	○	○	○	○	○
Product's responsiveness to your intelligence needs	○	○	○	○	○	○

5. How do you plan to use this product in support of your mission? ***(Check all that apply.)***

- ☐ Drive planning and preparedness efforts, training, and/or emergency response operations
- ☐ Observe, identify, and/or disrupt threats
- ☐ Share with partners
- ☐ Allocate resources (e.g. equipment and personnel)
- ☐ Reprioritize organizational focus
- ☐ Author or adjust policies and guidelines
- ☐ Initiate a law enforcement investigation
- ☐ Intiate your own regional-specific analysis
- ☐ Intiate your own topic-specific analysis
- ☐ Develop long-term homeland security strategies
- ☐ Do not plan to use
- ☐ Other:

6. To further understand your response to question #5, please provide specific details about situations in which you might use this product.

7. What did this product *not* address that you anticipated it would?

8. To what extent do you agree with the following two statements?

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disgree	N/A
This product will enable me to make better decisions regarding this topic.	○	○	○	○	○	○
This product provided me with intelligence information I did not find elsewhere.	○	○	○	○	○	○

9. How did you obtain this product? Select One

10. Would you be willing to participate in a follow-up conversation about your feedback? Yes

To help us understand more about your organization so we can better tailor future products, please provide:

Name: *Position:*
Organization: *State:*
Contact Number: *Email:*

Submit Feedback

Privacy Act Statement

CLASSIFICATION: **UNCLASSIFIED//FOR OFFICIAL USE ONLY**

Product Serial Number: IA-0123-17 REV: 10 November 2016

FEMA-NWC-TMT

From: NOC Media Monitoring <mmc@techopsolutions.net>
Sent: Wednesday, March 22, 2017 12:36 AM
To: NOC.MMC
Subject: Authorities Investigating After Pipeline Reportedly Vandalized In 'Several Places' Including In Iowa, South Dakota--MMC IOI #1240-17

Location(s): Iowa and South Dakota

- With the Dakota Access Pipeline nearly ready to start operation, the company that runs it says the 1,172-mile long oil pipe has been vandalized in several places, media reported Tuesday
  - In a court-ordered status report filed Monday, attorneys for Dakota Access write there have been "recent coordinated physical attacks ... that pose threats to life, physical safety, and the environment"
- The pipeline stretches through four states, from North Dakota into South Dakota, winding through Iowa and ending in southern Illinois
  - It is expected to move 470,000 barrels of crude oil a day across the Midwest
- A senior police official in Iowa said there was an incident of vandalism earlier this month on the pipeline at an above-ground safety valve
  - A Mahaska County police official said someone used a blowtorch to cut a hole through the 5/8-inch thick pipe
  - Police are running extra patrols near the site and six others, which are fenced in
  - The company believes the vandalism occurred between March 3 and 13
- There was a similar incident in South Dakota where a senior official from the Lincoln County Sheriff's Office said someone apparently used a torch on a pipe at a valve site near Sioux Falls
  - The incident happened between March 15 and 17, the official said
- Local and state officials are investigating the incidents and have notified the FBI

New Media Sources (some page content may change or not be available over time):
- Twitter [WISN 12 News]
-- http://bit.ly/2mrgjtI
- Associated Press
-- http://apne.ws/2mr8cgR

The above information summarizes emerging open source reporting that has not been corroborated by official government sources. It is provided to rapidly enhance situational awareness on items of interest to the homeland security enterprise.

Elisabeth Stoddard
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DHS NOC Media Monitoring
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